

HOUSE OF REPRESENTATIVES—Wednesday, November 3, 1993

The House met at 12 noon.

Rabbi Arthur Lelyveld, senior rabbi emeritus, Fairmount Temple, Cleveland, OH, offered the following prayer:

O Thou whom we address as did our fathers, calling Rabenoshel Olam, Lord of the Universe, our focus of ultimate value and demand, we ask again the question framed by the prophet 2,700 years ago: What is it, Lord, that Thou dost require of us? Micah's ventured assurance was only to do justly, to love mercy, and to walk with restraint before Thee.

If this is what is required of all, how much more is demanded of the elected Representatives of our Nation, caught as they are by the stresses of political division, public pressure, and legislative conflict and, yet, expected to be exemplars of those moral ideals to which our country has always pledged loyalty?

In the scriptural history which we associate with Thy name, we learn that this dilemma has ancient precedents. Jethro, the Midianite father-in-law of Moses, warned his son-in-law, the Great Lawgiver himself, that he would wear himself out were he to continue to handle the responsibilities of leadership alone.

"Hear me," said Jethro, "surround yourself with advisers and aides who are trustworthy, God-fearing persons of truth who hate corruption."

Grant us, Lord, a portion of Jethro's wisdom, that we may shape our public life to reflect that truth and probity to which we have always aspired, that we may fill these sacred Halls with a profound concern for social welfare, that we may become models of true patriotic commitment for our children, our successor generations, and that we may set a standard for the nations of the world as we continue to struggle to conquer homelessness, hunger, and lawlessness for the fulfillment of our American vision, a vision of brotherhood, justice, and peace. Amen.

May this be God's will.

THE JOURNAL

The SPEAKER. The Chair has examined the Journal of the last day's proceedings and announces to the House his approval thereof.

Pursuant to clause 1, rule I, the Journal stands approved.

PLEDGE OF ALLEGIANCE

The SPEAKER. Will the gentleman from Arkansas [Mr. THORNTON] please

come forward and lead the House in the Pledge of Allegiance.

Mr. THORNTON led the Pledge of Allegiance as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one Nation under God, indivisible, with liberty and justice for all.

MESSAGE FROM THE SENATE

A message from the Senate by Mr. Hallen, one of its clerks, announced that the Senate had passed with an amendment in which the concurrence of the House is requested, a bill of the House of the following title:

H.R. 2202. An act to amend the Public Health Service Act to revise and extend the program of grants relating to preventive health measures with respect to breast and cervical cancer.

The message also announced that the Senate insists upon its amendment to the bill (H.R. 2202) entitled "An act to amend the Public Health Service Act to revise and extend the program of grants relating to preventive health measures with respect to breast and cervical cancer," requests a conference with the House on the disagreeing votes of the two Houses thereon, and appoints Mr. KENNEDY, Mr. METZENBAUM, Mr. SIMON, Mrs. KASSEBAUM, and Mr. HATCH, to be the conferees on the part of the Senate.

The message also announced that the Senate had passed bills and a joint resolution of the following titles, in which the concurrence of the House is requested:

S. 479. An act to amend the Securities Act of 1933 and the Investment Company Act of 1940 to promote capital formation for small businesses and others through exempted offerings under the Securities Act and through investment pools that are excepted or exempted from regulation under the Investment Company Act of 1940 and through business development companies;

S. 843. An act to amend title 38, United States Code, to improve reemployment rights and benefits of veterans and other benefits of employment of certain members of the uniformed services;

S. 1613. An act to amend the Three Affiliated Tribes and Standing Rock Sioux Tribe Equitable Compensation Act; and

S.J. Res. 55. Joint resolution to designate the periods commencing on November 28, 1993, and ending on December 4, 1993, and commencing on November 27, 1994, and ending on December 3, 1994, as "National Home Care Week."

WELCOMING RABBI ARTHUR LELYVELD TO WASHINGTON, DC, AS GUEST CHAPLAIN

(Mr. STOKES asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. STOKES. Mr. Speaker, our guest chaplain for today's proceedings is a distinguished religious leader from my congressional district, Rabbi Arthur J. Lelyveld, who serves as senior rabbi emeritus of Fairmount Temple in Cleveland. I am proud that Rabbi Lelyveld has been accorded this special honor today and I rise to welcome him to this Chamber. I want to take this opportunity to share with my colleagues and the Nation some information regarding this great individual.

For 28 years, Rabbi Lelyveld held the post of senior rabbi of Fairmount Temple. He was named senior rabbi emeritus in 1986. During his tenure, Rabbi Lelyveld has demonstrated commitment and devout leadership in service to the congregation. His tireless efforts have earned him the respect of his colleagues and admiration of the Cleveland community.

Mr. Speaker, Rabbi Lelyveld's leadership on issues of importance to the Jewish community is longstanding. He is the founder and first president of the Jewish Peace Fellowship. And, during the early 1940's, it was Rabbi Lelyveld who was one of the first to speak out on the idea of a Jewish State. Rabbi Lelyveld is the past national president of the American Jewish Congress and the American Jewish League for Israel. In addition, he is the former national director of the B'nai B'rith Hillel foundations; the former executive director of the Community for Unity for Palestine; and the former executive vice-chairman of the American-Israel Cultural Foundation.

During his lifetime, Rabbi Lelyveld has been equally committed to the struggle for civil rights and social justice. In 1964, during the civil rights movement sweeping the Nation, he traveled with other clergy to Mississippi to serve as counselors to the Commission on Race and Religion. Although severely beaten, Rabbi Lelyveld was unwavering in his determination and belief that the battle could be won. A year later, he was recognized by the NAACP for distinguished service to the organization and the cause of freedom. Just recently, Rabbi Lelyveld was presented the Martin Luther King, Jr. Award for Social Justice by the Western Reserve Historical Society in Cleveland.

□ This symbol represents the time of day during the House proceedings, e.g., □ 1407 is 2:07 p.m.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.

Mr. Speaker, I am proud to note that education continues to play a pivotal role in the life of Rabbi Lelyveld. Students throughout the Cleveland community and our State benefit greatly from his expertise and insight. Currently, Rabbi Lelyveld serves as the Bernard Rich Hollander lecturer in Jewish thought at John Carroll University. He is also a senior teaching fellow at the Cleveland College of Jewish Studies, and a member of the advisory board of the Pastoral Psychology Institute of Case Western Reserve University School of Medicine.

Previously, Rabbi Lelyveld held the post of adjunct professor of religion at Case Western Reserve University. He has also served as a visiting scholar at the Oxford Centre for Postgraduate Hebrew Studies in Oxford, England. I should also reference the fact that Rabbi Lelyveld is a respected author of numerous books and articles on religious, social, and other issues. In 1985, Fairmount Temple dedicated the Arthur J. Lelyveld Center for Jewish Learning, the largest synagogue library in the country. The center stands in recognition of the leadership of this great individual.

Mr. Speaker, during my tenure in the Congress, I have enjoyed a deep and longstanding friendship with Rabbi Lelyveld and his family. I have also been the beneficiary of his excellent advice and counsel. He is an individual whose commitment and dedication is unsurpassed. I take great pride in welcoming Rabbi Lelyveld to the House Chamber today, and I wish him well as he continues on his mission.

CHANGE IS GOOD

(Mr. BALLENGER asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. BALLENGER. Mr. Speaker, change is here and change is good.

The elections in Virginia, New York, and New Jersey say one thing: The Democrat vision of the future is not shared by most voters.

Welfare statism no longer works. Large tax increases no longer work. Weak anticrime efforts no longer work. The Democrat Party no longer works. Mr. Speaker, change is here and change is good.

A Republican won in New York for the first time since 1964. Republicans won in Virginia for the first time since 1979. And a Republican won in New Jersey despite heavy odds.

Mr. Speaker, change is here and change is good.

For the first time in modern history, our two largest cities have Republican mayors. For the first time in modern history, Republicans have a fighting chance in the Virginia legislature. And for the first time in history, the majority of voters have clearly rejected so

completely the Democrat vision of the future.

Mr. Speaker, change is here, and change is good.

PENTAGON MUST BE FORTHCOMING ON USE OF CHEMICAL AGENTS IN PERSIAN GULF

(Mr. MONTGOMERY asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. MONTGOMERY. Mr. Speaker, there is increasing concern, especially among affected veterans, that chemical weapons may have been used against our forces in the Persian Gulf war. Some veterans believe this is the reason for the medical problems they are having. They certainly have a right to know, and I have today asked Armed Services Committee Chairman RON DELLUMS to conduct a hearing on this matter.

The VA can provide these veterans with medical treatment, but in order for the treatment to be fully effective, we must know the cause of their conditions. The VA certainly cannot tell us if chemical agents were used in the war. If the Pentagon has any information, it should release it immediately.

VA is offering medical evaluations to veterans who are worried about possible exposure to chemicals or environmental hazards in the Persian Gulf. Any Persian Gulf veteran can also request to be placed on a registry. This data base will enable VA to locate these veterans as scientific and medical answers emerge.

The House has passed legislation that would give these veterans priority hospital, outpatient, and nursing home care.

I want to commend Secretary of Veterans Affairs Jesse Brown for his initiative in establishing a pilot program to test certain Persian Gulf veterans for exposure to chemical agents, notwithstanding the fact that the Pentagon has not confirmed their use in the war with Iraq.

VA, along with DOD, has entered into a contract with the National Academy of Sciences for an independent review of health effects from military service in the Persian Gulf. In addition, the House version of the Defense authorization bill now in conference contains a provision that would establish a special research unit to study sensitivity to low levels of chemical exposure.

We will continue to respond to the health care concerns of Persian Gulf veterans. However, if this response is to be adequate, the Defense Department must tell us whether chemical weapons were used against our troops.

□ 1210

COORDINATE TO EDUCATE

(Ms. WOOLSEY asked and was given permission to address the House for 1

minute and to revise and extend her remarks.)

Ms. WOOLSEY. Mr. Speaker, today I am introducing a bill, coordinate to educate, a bill which will help schools join with local health and social service agencies to establish coordinated service programs for children and their families.

Mr. Speaker, we can have the best schools in the world, with high-level curriculum and the latest technologies. We already do have the best teachers in the world. But, Mr. Speaker, children who are hungry, who are abused, who are sick, who are spending long hours before and after school, alone and possibly frightened, cannot learn even from the most enthusiastic and qualified teachers. Mr. Speaker, teachers who spend most of their time trying to take care of the problems their students bring with them to school cannot teach even with the best curriculum.

Coordinate to educate makes practical sense because schools are the one place in communities where all children come and their families assemble. It makes economic sense, because it coordinates services, reduces duplication, and substitutes prevention for expensive crisis intervention. Above all, Mr. Speaker, coordinate to educate makes good education sense, because it allows schools to be schools, teachers to teach, and most important, students to learn.

CRIME AND TAXES

(Ms. PRYCE of Ohio asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. PRYCE of Ohio. Mr. Speaker, it is often said that there are only two certainties in life: death and taxes. The election yesterday sent a little different message: If you are soft on crime and in favor of higher taxes, political death is a certainty.

Democrats Florio, Dinkins, and Terry found this out the hard way. Crime and taxes played a critical role in each of their losses yesterday.

Jim Florio levied the largest tax increase in New Jersey history. The people of New Jersey neither forgave nor forgot.

David Dinkins did nothing to stem lawlessness and crime in New York City. He is now the ex-mayor of New York.

And Mary Sue Terry did nothing to convince the voters that she would not raise taxes or could effectively fight crime. She lost by a wide margin.

The Democrat view on crime and taxes was conclusively rejected yesterday by the American people. Let us hope Washington finally gets the message.

NATIONAL HEALTH CARE REFORM: A BENEFIT, NOT AN UNDUE BUR- DEN

(Mr. BLACKWELL asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. BLACKWELL. Mr. Speaker, national health care reform can be a benefit for everyone, but it must not be a burden for anyone.

While I believe the President deserves the support of Congress, without regard to party or politics, I also believe we have an obligation to work with the President in shaping and perfecting a health care system.

The President's plan seeks, among other things, to control costs. I have doubts, however, that we can achieve cost controls without price controls.

The American people will not support this legislation if they are forced to pay more for less. Small business will not survive this legislation if the numbers are accurate fantasy as Senator MOYNIHAN has suggested.

Our job, therefore, is to ask the tough questions, to help the President in the search for the right answers. Are the price controls on insurance enough, when we have spiraling prices throughout the health care delivery system? Will the spending caps that are a part of this proposal affect the quality of care and even the promise of care for all? What is being done to eliminate the disparities in health care?

With the right answers to these and other important questions, national health care reform can be of benefit to all of America, without being an undue burden to any of America.

REFORM IS ON THE WAY

(Mr. DOOLITTLE asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. DOOLITTLE. Mr. Speaker, yesterday voters across America left a short message for liberal Democrats: "You're fired." President Clinton, call your answering service.

Mr. Speaker, the reform train has now steamed through New York, New Jersey, and Virginia, replacing liberal Democrat politicians with Republican reformers. Yesterday the supporters spoke loudly and clearly against high taxes, big government, and the failed social agenda of liberal Democrats.

President Clinton lost big yesterday. Most Americans do not share his philosophy or world view. They certainly do not want socialized medicine, with its lack of patient choice, with its high taxes, and with its new government bureaucracy.

Mr. Speaker, reform is on the way. Yesterday's elections confirm it.

WITH NAFTA. PROSPECTS FOR THE AMERICAN WORKER WILL NOT BE ROSY

(Mr. TRAFICANT asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. TRAFICANT. Mr. Speaker, former President Nixon is for NAFTA, Ford is for NAFTA, Carter is for NAFTA, Reagan is for NAFTA, Bush is for NAFTA, and now President Clinton is for NAFTA. This high-powered lineup says it all. On trade, Mr. Speaker, there is now no difference between the Democrat and Republican Parties. Sad day, sad day.

Mr. Speaker, I make two predictions: No. 1, NAFTA will produce a national worker strike; No. 2, NAFTA will produce a major third political party by the turn of the century, and the Democrats and Republicans have earned it.

The truth is, when you hold NAFTA to your nose, it doesn't smell too, too rosy for the American worker.

HEALTH CARE REFORM MUST NOT BE ANOTHER UNFUNDED MAN- DATE

(Mrs. MEYERS of Kansas asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Mrs. MEYERS of Kansas. Mr. Speaker, last Wednesday, the day President Clinton delivered his health care plan to Congress, was National Unfunded Mandates Day. As details of the President's health care proposal are evaluated, we find the day was celebrated in quite the wrong way by the Administration.

Under the proposal, State and local governments will be required to provide a guaranteed benefit package to all employees not later than 1998. However, their health care contributions will not be capped at 7.9 percent of payroll until 2002, at the earliest, unlike all other employers. This leaves State and local government with at least 4 years of drastic uncertainty over the health care costs.

The administration estimates the Federal Government will save \$20 billion by refusing to assist State and local governments until the year 2002. Well, taxpayers are not going to rejoice at this Federal brilliance when their local taxes go up to pay for yet another unfunded mandate.

The Fiscal Accountability and Intergovernmental Reform [FAIR] Act, which I cosponsored along with 198 of my colleagues, would require Congress to assess the full cost of Federal mandates before they are implemented. This bill should be enacted, but in the absence of a requirement, I believe we must apply the same logic to health care reform. Let us not impose another unfunded mandate.

CALLING ON THE ADMINISTRA- TION TO INSIST ON RELEASE OF PRISONERS OF CONSCIENCE IN LEBANON

(Mr. LANTOS asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. LANTOS. Mr. Speaker, members of the Christian community of Lebanon continue to be persecuted, abducted, unlawfully detained, and held incommunicado by the Syrian authorities and the puppets installed by them in Beirut. This outrage must not be allowed to continue.

In the past, Lebanese Christians, abducted under similar circumstances, were severely beaten and systematically tortured by having their heads immersed in water and by being given potent electric shocks.

□ 1220

I am calling on President Clinton and Secretary of State Christopher respectfully and urgently to communicate immediately with both the Syrian regime and the authorities installed by them in Beirut to release promptly and unconditionally those Lebanese Christians who currently are held as prisoners of conscience for the peaceful expression of political beliefs. I am calling on all of my colleagues across the political spectrum to join me in denouncing this unacceptable violation of fundamental human rights.

THE BENEFITS OF NAFTA

(Mr. RAMSTAD asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. RAMSTAD. Mr. Speaker, I want to applaud President Clinton's commitment to work in a bipartisan way to pass NAFTA. He might have been a few months late, but hopefully he will not be a few votes short on November 17.

The President clearly understands the export growth and jobs that NAFTA will yield, and the bottom line in NAFTA is jobs.

NAFTA will increase the number of consumers for U.S.-made products, expand our economy and create American jobs.

Over 300 renowned American economists, including seven Noble laureate economists, have expressed their strong support for NAFTA. Usually economists do not agree on what kind of a day it is outside, let alone a major document of this sort.

The New York Times said, "Anytime economists of every stripe can agree on something, it's noteworthy."

Every President, as our colleague from Ohio has so well expressed, supports NAFTA.

I urge all of us to put interest group politics, put partisan politics aside. Do what is right for jobs, for the economy, and support NAFTA.

UNIVERSAL COVERAGE AND LONG-TERM CARE

(Mr. HASTINGS asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. HASTINGS. Mr. Speaker, it is now our turn to sort out the details of health care and begin working toward a consensus. We need to provide all Americans with a better system of care.

I ask that we consider a plan that offers two elements that are absolute necessities: Universal coverage and long-term care.

The Clinton plan will provide access and security for all Americans. The Health Security Card will provide all people with the protection, safety, and portability of insurance even if they move, change or lose their employment. People will rest easier knowing they have comprehensive benefits that can never be taken away.

Second, we need to guarantee to our elderly people and those with severe disabilities that they will have long-term care coverage. Families all too often exhaust their savings in order to pay for needed care and then to qualify for public assistance. The Clinton plan will expand home and community-based services to individuals with severe disabilities without regard to income or age. The fact is, people prefer to stay at home, and more often than not, staying at home with community-based care is a fine way to cut costs and provide a more pleasant setting for the patient.

Mr. Speaker, I encourage my colleagues to work together on these critical issues. We cannot let people wait any longer.

MAKE ENGLISH OUR OFFICIAL LANGUAGE

(Mr. ROTH asked and was given permission to address the House for 1 minute.)

Mr. ROTH. Mr. Speaker, the early results are in. Not only in New Jersey and Virginia, but all over America. The question: Should Congress make English our official language?

USA Today recently asked readers if English should be our official language. They presented both sides of the issue and asked Americans to call with their views. USA Today received their largest response ever—over 45,000 responses.

More than 43,700 said yes, make English our official language. That is 97 percent of the people responding.

We Americans are people from every corner of the globe, from every ethnic, religious and geographical background, yet we are one people, one nation. Why? Because we have a wonderful commonality called the English language. We are losing that bond. We must correct this.

My bill, H.R. 739, is the vehicle to make English our official language. I encourage my colleagues to get in step with the American people, to sign onto my bill and let us do something for this country. Join me and 97 percent of the American people and make English our official language.

NAFTA NOT IN BEST INTEREST OF AMERICAN PEOPLE

(Mr. ROEMER asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. ROEMER. Mr. Speaker, we have a very important vote coming up on November 17 on NAFTA. In carefully evaluating how this proposal would affect American and Mexican people I looked at jobs and wages here in the United States. I evaluated the effects on the environment, the effect of a new practice of managed trade rather than simply looking at the practice of free trade, and the vision of relations with Mexico, and decided that this particular treaty is not in the best interests of the American people at this particular time.

Today as we evaluate the implementing legislation I think another factor should be evaluated by my colleagues, and that is the cost, and how do we pay for these new roads and bridges which Secretary Brown has said might cost \$15 billion? How do we pay for a new interdevelopmental bank costing \$2 billion? How do we pay for the cleanup costs?

I encourage my colleagues that the bottom line is we cannot afford this particular NAFTA at this time.

ELECTION RESULTS SHOW AMERICANS SUPPORT NAFTA

(Mr. KOLBE asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. KOLBE. Mr. Speaker, the political commentators who read the tea leaves are looking hard at yesterday's election to find meaning for the debate that is about begin in Congress on the North American Free-Trade Agreement.

The message is that the voters still want change—more of it, and faster. NAFTA is about change. The status quo is to do nothing.

Governor Florio campaigned vigorously against NAFTA. The big three Democrats who lost yesterday—Florio, Terry, and Dinkins—were all strongly supported by organized labor, and labor's opposition to NAFTA is no secret.

So, any Member of Congress who thinks they are going to find solace for a "no" vote on NAFTA in yesterday's elections had better look again. The message is clear: The American people want jobs and economic improvement.

NAFTA is a tax reduction on our products which are sold in Mexico. It is the only pro-growth, economic initiative in this session of Congress. That is what Americans want, and that is why Members who want to vote for change will vote for NAFTA.

THE SPENDING ADDICTION

(Mr. GOSS asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. GOSS. Mr. Speaker, you do not need to read anyone's diary to know the Democratic leadership in Congress is addicted to spending.

Recent newspaper accounts that Speaker FOLEY seeks to short circuit the carefully crafted bipartisan plan to cut more than \$100 billion in spending over the next 5 years remind me of shopaholics who declare they just have to keep buying because all of those neat things are for sale, and Uncle Sam will pay the bills.

Uncle Sam is looking at an annual deficit of over \$250 billion, and accumulated debt heading toward \$6 trillion. Speaker FOLEY says we have done enough deficit reduction; never mind. We need to recycle savings from old programs to brand new ones, the Speaker says.

This is a rare inside view of why Congress is incapable of reducing the deficit. The liberal leadership looks at savings as a license to spend.

When will the liberal Democratic leadership kick their spending habit? Never.

What is the answer? Ask the voters in New Jersey. I call it the Florio factor.

□ 1230

APPROVE NAFTA: LET US GET OUR COUNTRY ON THE MOVE AGAIN

(Mr. THORNTON asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. THORNTON. Mr. Speaker, our Nation is in economic trouble, because we have not moved boldly to compete with Europe and Japan.

We have tried just to hang on to what we have, rather than build for the future.

We need to invest in our future—improve education, rebuild our infrastructure, harness our inventive genius to the marketplace, and provide more and better jobs through a strong and vibrant economy.

I have called this approach a Marshall plan for America.

But we cannot do that by building a wall around our country.

I have decided to support NAFTA, because Arkansas people will benefit from new jobs and markets.

Also, Mr. Speaker, more than a million undocumented workers were arrested and jailed just last year for trying to enter this country illegally.

Our Nation will benefit from reducing the number of illegal immigrants who flood our jails and compete for our jobs and public services.

NAFTA can be the challenge we need to reverse our slide toward fear and self-doubt.

We have the resources to compete and win.

Let us get our country on the move again.

CHILD PORNOGRAPHERS PROTECTED BY FEDERAL ACTION

(Mr. LEWIS of Florida asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. LEWIS of Florida. Mr. Speaker, I rise to express my bitterness toward the administration's recent actions to create a new class of federally protected child pornographers and to support the bill of the gentleman from New Jersey [Mr. SMITH] to reverse this decision.

The Justice Department recently argued to the Supreme Court that pornographic videos of 10-year-old girls were legal, just as long as the girls are somewhat clothed.

No matter where the camera focuses, and for how long.

As a direct result, a convicted child pornographer will probably go free.

Who knows how many children will now be legally abused, thanks to Attorney General Reno, who said protecting children was her first priority.

This administration wants part of every aspect of our kids' lives—from health care to day care—even as they make it easier for perverts to abuse them.

If you hear the administration say they care about kids, do not believe it.

Sorrowfully, it appears they care more about the perverts.

THE LIFER BILL: THREE STRIKES AND YOU'RE IN FOR LIFE

(Mr. LIVINGSTON asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. LIVINGSTON. Mr. Speaker, Washington State yesterday voted on an anticrime referendum. The results were overwhelming: "Three strikes and you're out" won, three to one.

Let me explain. Washington State's voters had a proposal before them which would guarantee that anyone convicted of a third violent felony would receive automatic life in prison—no ifs, and, or buts. They approved the measure by a 3-to-1 margin, 76 percent to 24 percent.

I have pending in the House a bill which would do the same thing for a

Federal violent felony. A third violent felony conviction, if it breaks Federal law, would guarantee life imprisonment. I call it the Lifer bill. It already has drawn support from three national anticrime and victim's rights groups, and from two nationally syndicated columnists. And voters across the country will understand it and support it just as strongly as did the voters of Washington State.

So let us pass my Lifer bill. With repeat violent criminals, we should lock the door and throw away the key.

The foolish bills on our agenda today are a worthless waste of money and time. The Lifer bill will hit the real criminals and get them off the street.

Mr. Speaker, I invite Members to cosign my Lifer bill.

J.F.K. SUPPORT NAFTA? NOTHING COULD BE FURTHER FROM THE TRUTH

(Ms. KAPTUR asked and was given permission to address the House and to revise and extend her remarks.)

Ms. KAPTUR. Mr. Speaker, today I would like to set the historical record straight. Last week, President Clinton rededicated the John F. Kennedy Library in Massachusetts and implied that John Kennedy would have endorsed NAFTA, the flawed, proposed trade agreement between the United States and Mexico and Canada. Nothing could be further from the truth.

Let me read, in John Kennedy's own words, his vision for a partnership with our Latin American neighbors:

We must not forget that our Alliance for Progress—

What he called his vision—

is more than a doctrine of development—a blueprint of economic advance. Rather it is an expression of the noblest goals of our society. It says that want and despair need not be the lot of free men. It says that material progress is meaningless without individual freedom and political liberty. It is a doctrine of the freedom of man in the most spacious sense of that freedom.

As the NAFTA debate ensues, let us hold our continent to no less a vision, and use our power to achieve growth of democracy in Mexico and in Latin America.

REPEAL THE CLINTON TAX INCREASE NOW

(Mr. GRAMS asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. GRAMS. Mr. Speaker, the political firestorm that started earlier this year in Los Angeles, Arkansas, Texas, and Jersey City has now spread to New York City, New Jersey, and Virginia.

From coast to coast, the American people have repudiated the Clinton tax increase, thrown out tax and spend Democrats, and elected fiscally responsible Republicans to take their place.

Well, my Democrat colleagues, if you voted for the record Clinton tax increase, guess what, you could be next.

But, if you want to avoid the wrath of the voters next year, there is still time. Do the right thing and join with Republicans and let us repeal the Clinton tax increase.

That might not only give you a chance to save your job, but it might save the jobs of millions of working Americans as well.

Mr. Speaker, if Republicans can win in New York City, yes, if we can win there, we can win anywhere.

It is up to you my colleagues, if you want to save yourselves. If you want American jobs, join us Republicans in doing the right thing.

Let us repeal the Clinton tax increase now.

CLINTON PLAN PROVIDES HEALTH CARE SECURITY FOR ALL AMER- ICANS

(Mrs. MEEK asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Mrs. MEEK. Mr. Speaker, President Clinton made a promise to the American people that he would provide universal health care; that people would not have to live with the fear of losing health insurance if they changed jobs, became unemployed, or simply became too expensive to insure because of a health condition.

President Clinton has delivered on his promise to develop such a plan, and now it is our turn to deliver. Let us not get bogged down in the nitpicking from special interests that seek only to preserve their share of income from a broken health care system.

Americans want health security. They want to eliminate wasteful spending in the health sector. They want to get rid of the complexities and confusion of filling out multiple insurance forms. They want high quality in health care, and they want choice. The Clinton plan provides all this, along with a challenge to all Americans to take some responsibility for contributing to their own health care.

There may be ways to make the plan better, but we cannot afford to get cold feet about making the fundamental changes this plan calls for. We have already waited too long. It has been nearly 50 years since Harry Truman became President, and it is about time we followed through on his proposal to provide health security for all Americans.

REPUBLICANS HELPED BY CLIN- TON RECORD ON TAXES, BIG GOVERNMENT

(Mr. WELDON asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. WELDON. Mr. Speaker, the Democrats may have fooled the American people in 1992, but the voters wised up in 1993. The tax and spend Clinton-Gore Democrats went down to defeat in Virginia, New York, New Jersey, and Pennsylvania. Big-government Democrats went down to defeat, and progressive Republicans swept to victory.

Last night's Republican landslide was only the latest in a long line of GOP victories in the Clinton era: A Senate runoff in Georgia, a Senate special election in Texas, the mayors' races in Los Angeles, Jersey City, West Chester, and Norristown, and the Lieutenant Governor's race in Arkansas. Even in the heyday of the Reagan revolution, the GOP has never experienced such an uninterrupted string of victories.

Indeed, Bill Clinton's tax and spend liberalism has completed the rejuvenation of the Republican Party. From the rural south to the urban inner-city, voters are rejecting the big-Government prescriptions of Bill Clinton and his Democrat comrades.

Today I have sent a letter to Haley Barbour, the chairman of the Republican National Committee, urging him to give credit where credit is due, and make Bill Clinton an honorary cochairman of the RNC.

After all, no one has done more to elect Republican candidates than the man from Hope. I would urge him also to schedule a series of high-profile fundraisers for Democrat House and Senate candidates. If President Clinton campaigns for enough Democrats in 1994, the Republicans may even take control of the Congress.

□ 1240

WE NEED A JUVENILE FIREARM BAN

(Mr. SKAGGS asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. SKAGGS. Mr. Speaker, this Halloween, in Denver, CO, an 18-year-old named Carl Banks was taking his younger brothers and sisters trick-or-treating. Carl never made it home that night—he was shot and is dead. A 13-year-old was arrested the next day. These senseless killings have got to stop—we must get guns out of the hands of these kids.

Colorado recently took an important first step with passage of a juvenile handgun control bill.

Today, I am taking this idea two crucial steps further with the introduction of a bill to impose a national juvenile firearm ban. This is a national ban. And, yes, that is all firearms, not just handguns. If we are going to restrict kids' access to .38's as some propose, why would we not also restrict their access to Uzis?

My bill will not interfere with hunting and other sporting activities, but it will give law enforcement officers part of what they need to get guns off the streets and to lock up those who make money off the blood of our children—the ones who are selling guns to them.

As a Nation, we have so far failed to stem the growing tide of children killing children with guns—paralyzed by a lobby that demagogues against reasonable restrictions on firearms. I am willing to stand up to the gun lobby. And I think America is, too.

It is time to limit kids' access to guns. I urge my colleagues to join me and the nearly two dozen original cosponsors of this bill. Too many parents have already buried their children.

A TIDAL WAVE

(Mr. HEFLEY asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. HEFLEY. Mr. Speaker, Mary Sue Terry, the losing Democratic nominee for the Virginia Governor's race, said in her concession speech yesterday, "We must recognize we have a tidal wave of change that has swept across Virginia." She is right, but it is not Virginia. It is a tidal wave sweeping across the continent.

It is a tidal wave of dissatisfaction with the status quo, with higher taxes, with more crime, and with bigger government. It is a rejection of the Democratic vision of the future.

From Los Angeles, where a Republican won the mayor's race for the first time in memory, to Texas, where a Republican won even the so-called yellow-dog districts in a Senate race, from Jersey City to New York, long bastions of democratic power, from Arkansas, the home State of the President, to Virginia, which has not had a Republican Governor in more than 10 years, the people have spoken.

And what they have said cannot be comforting to the Democrat power-brokers on Capitol Hill.

Mr. Speaker, a tidal wave is coming to the Congress, and I must say, it is about time.

NAFTA IS DISASTA

(Mr. FILNER asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. FILNER. Mr. Speaker, in 2 weeks, this House is scheduled to vote on NAFTA. As we all know, this critical vote will affect America's economy for years to come.

Proponents of the accord say it will bring prosperity and growth to our country, especially to communities along the Mexican border. But as a Congressman who represents San Diego, CA—the biggest city on the bor-

der—I can tell you firsthand that NAFTA is a bad deal for the working people on both sides of the border.

My constituents have decades of experience and intimate contact with the Mexican people. We know our economic future lies with closer ties to Mexico—but this NAFTA will put unbearable pressure on our infrastructure, increase the burdens of illegal immigration, and cost us thousands of jobs.

Today—and every day—50 million gallons of raw sewage flow through my district from Tijuana. With NAFTA, we see that getting twice as bad.

Today, and every day several thousand immigrants cross illegally through my district. With NAFTA, we see that getting twice as bad.

We have lost thousands of sheet metal fabrication, furniture manufacturing, auto parts production, and carpentry jobs to Mexico. With NAFTA, we see that process accelerating.

San Diego—and this Nation—simply cannot afford this NAFTA.

A MESSAGE FROM THE VOTERS

(Mr. BOEHNER asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. BOEHNER. Mr. Speaker, the votes are in. They have been counted. Once again the American people have spoken. Voters in New York, New Jersey, Virginia, and even Dayton, OH, have rejected higher taxes, bigger government, and they also want criminals in jail.

Yesterday's message was just the same message that we have heard earlier this year when voters in Los Angeles, in Arkansas, and in Texas sent the same message to this Congress.

Mr. Speaker and my colleagues, it is time for us to listen. It is time to stop raising taxes. It is time to quit enlarging government, and it is time to put criminals in jail and leave them there.

It is also time to pass a crime bill and to cut spending.

And while we are at it, let us take the Clinton health care bill and put it on the shelf, because it is the epitome of what the American people do not want, higher taxes, bigger government, and the socialization of American health care.

SKUNK SMELL NOT SWEETENED WITH SKUNK JUICE

(Mr. APPELEGATE asked and was given permission to address the House for 1 minute.)

Mr. APPELEGATE. Mr. Speaker, you cannot sweeten the smell of a skunk with skunk juice, but that is exactly what the supporters of the North American Free-Trade Agreement are trying to do. They want to promise jobs, and yet they have a program in there to retrain workers.

Who is kidding whom?

There is going to be more unemployment compensation, more welfare, and, my friends, there are going to be more taxes in order to implement this. Is this what the American worker wants? Is this what the American worker needs?

We need to trade with Mexico, but America must not be brought down to their standards.

In America we always say if you are going to succeed, you have got to earn it. It must not be given to you. If Mexico wants free access, then by God, they have got to earn it.

NAFTA is not good for America and is not good for the American worker.

ASK YOUR KIDS ABOUT NAFTA

(Mr. KNOLLENBERG asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. KNOLLENBERG. Mr. Speaker, I want to share with you an interesting passage I found the other day while researching NAFTA, and I quote:

The cheap foreign labor argument for protection has been the most popular of all in American history. It is gauged to appeal to workers. According to its usual version, "If we let in goods produced by cheap foreign labor—by Chinese textile workers or by low-paid Korean electronics workers—then the higher standard of living of American workers cannot be maintained." This argument is incorrect.

High American real wages come from high efficiency, not from tariff protection. Such high wages, the result of productivity, do not handicap us in competing with foreign workers.

Pretty controversial stuff.

Where did I find this pro-NAFTA propaganda? In an Economics 101 textbook, presently being used by colleges all over the country.

I challenge the Members of this body: If you are undecided or confused about NAFTA and its effects on our economy—just ask your kids.

THE IMPACT OF NAFTA

(Mr. INSLEE asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. INSLEE. Mr. Speaker, when I consider what impact the North American Free-Trade Agreement will have on democracy and peace in our country, I respect Members of Congress, but I would like to hear from people who have won the Nobel Peace Prize. And what do they say?

Take Nobel Peace Prize winner Oscar Arias Sanchez, former President of Costa Rica. He asks us this question: How can a country that has so long championed freedom now show signs of fearing it?

Well, I say we should never fear freedom.

Mr. Sanchez says that we have got to recognize in the last few years Latin America has made progress in reducing fiscal deficits and managing their monetary systems to control inflation.

He then goes on to say, and this is a point I think we have lost:

In Latin America in the last five or six years, we have been doing the homework that your country has recommended. There is progress.

He recognizes that just as we made progress, the country that used to not let women vote, we have made progress, and Mexico is going to make progress. That is the same reason Jimmy Carter supports this package.

Mr. Speaker, I heard another speaker suggest that former President John F. Kennedy would not have voted for this pact. I do not think any Member of Congress truly knows the answer to this question, but I know this. John F. Kennedy would have voted for what he believed was right for America, and if enough people stand up and have courage instead of ducking the tough political vote, we can pass this treaty.

CONGRESS NEEDS TO GET SERIOUS ABOUT CRIME

(Mr. STEARNS asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. STEARNS. Mr. Speaker, in the elections across the country yesterday, the American people sent us one clear, unmistakable message—the epidemic of violent crime that is gripping this Nation must stop.

Americans want violent criminals apprehended, convicted, and incarcerated to serve full sentences. However, we in Washington have not provided the leadership that State and local communities need to win this war. A full year after his election, President Clinton still has not sent Congress a crime bill. While I applaud the efforts of those in Congress who are working hard on this issue, it demands Presidential leadership.

No one has all the answers for the fight against crime, but Congress needs to move this issue to the top of its agenda, provide full funding to our Federal law enforcement arms, adopt stricter sentencing requirements for violent criminals, and ease the burden of prison overcrowding in the States by establishing the regional prison system proposed by my colleague from Florida, Mr. MCCOLLUM. And, we must demand that the President give the crime crisis in this Nation his fullest attention.

If you were listening to the American people last night, that is the message they sent loud and clear.

□ 1250

WHY I SUPPORT NAFTA

(Mrs. SCHROEDER asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Mrs. SCHROEDER. Mr. Speaker, I think this NAFTA vote is very, very important, and I hope everybody ends up voting for it. Let me tell my colleagues why.

The choice is not between NAFTA and nirvana. The choice is between NAFTA and what we have now, and I say to my colleagues, "So, if you think we should change what we have now, then you better be pro-NAFTA."

Nobody can say that NAFTA is perfect, but NAFTA will lower the tariff barriers, and the tariff barriers between Mexico and the United States, the tariff barriers Mexico has against our goods, are 2½ times higher than the ones we have against theirs. I think that is good. Let us lower them.

I say to my colleagues, "If you like what's going on with illegal immigration, then you should vote 'no' on NAFTA." I do not. I think it is very important for people to have hope in Mexico.

I think we also know that creating jobs in America attached to exports give us much higher quality jobs and the kind of things that sustain our middle class. We have a great environmental agreement that is just unbelievable, and that, to me, says, "Vote yes. That's the only choice we have if you want change."

YESTERDAY'S ELECTION

(Mr. EWING asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. EWING. Mr. Speaker, yesterday was election day in many cities and States across the Union. Across the country people rejected the current administration's vision of the future. They rejected big government, big taxes, and the liberal views on crime. Now from Los Angeles to New York, Virginia to Arkansas, Jersey City to Massachusetts, the country has decided that the welfare state and tax and spend does not work any longer.

Mr. Speaker, let this day remind the American people and those of us who seek and hold office that the power to change the direction of this country rests in their hands, the people's hands, and with their votes. Let this day remind all of us and President Clinton that, if we want NAFTA, we should and can do it without new taxes. If we want health care, we can and should do it without new government bureaucracy and taxes.

NAFTA MEANS JOBS

(Mr. COPPERSMITH asked and was given permission to address the House

for 1 minute and to revise and extend his remarks.)

Mr. COPPERSMITH. Mr. Speaker, NAFTA means jobs in America, jobs right now, and jobs for the future. Let me give my colleagues two examples from my State of Arizona.

The first is a firm called La Corona Foods. It is a small yogurt maker outside of Phoenix. Forty percent of their sales, and over a third of their employees, are now based on exports to Mexico. They compete against the giants, against Dannon, against Yoplait, and yet they are the largest United States yogurt exporter to the Mexican market. They are succeeding in that market despite high Mexican tariffs, and they will not move if NAFTA is approved because they need to be close to their suppliers of high quality U.S. milk. Those jobs are at risk if we turn our backs on NAFTA because they know the Mexicans will close that market.

Continental Baking in Tempe cannot export baked goods now to Mexico because of the high tariffs, but if NAFTA passes, they will. NAFTA will make those 150 jobs in that bakery more secure, not less, if NAFTA passes.

NAFTA means jobs today and tomorrow. History has demonstrated time and again opening markets creates jobs, lowers prices, and encourages investment. Let us have the courage to change, to embrace our future, and adopt NAFTA.

INTRODUCTION OF CRIME VICTIMS RESTITUTION ACT OF 1993

(Mr. OXLEY asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. OXLEY. Mr. Speaker, last week I introduced the Crime Victims Restitution Act of 1993, to require all those convicted of Federal offenses to pay restitution to their victims in the full amount of their losses. Such restitution orders are currently only optional.

Identical restitution provisions were included in the Victims' Rights and Restitution Act of 1990, which I offered as an amendment to the Crime Control Act. My amendment passed by voice vote, and identical legislation was included in the Senate anticrime package. However, the restitution provisions were unaccountably absent from the House-Senate conference report on the crime bill.

Federal courts should order convicted criminals to compensate the people they have harmed. Losses relating to property, bodily injury, and death would be redressed under my bill. It is tough on crime, and it helps the victims of crime rebuild their lives.

Let us do something concrete and meaningful to help crime victims. Support the Crime Victims Restitution Act of 1993.

NORTH AMERICAN FREE-TRADE AGREEMENT

(Mrs. UNSOELD asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Mrs. UNSOELD. Mr. Speaker, I have spent much of my 5 years in Congress battling to protect marine resources. But banning driftnets on the high seas, saving salmon runs, and managing our fisheries for future generations is more than one person's struggle; it is vitally important to the Pacific Northwest, to our country, and to the entire planet.

That is why I am disappointed that the North American Free-Trade Agreement follows an alarming pattern set by GATT and other trade agreements. It steals away the enforcement tools we need to ensure sustainable use of world resources.

Under NAFTA, we cannot impose sanctions upon another nation that abuses an international fishery. A nation can decimate a fishery and we can't do anything about it. They can scrape the ocean bare with 30-mile long driftnets, and the United States is powerless to stop them.

I cannot support trade agreements that undermine sustainable use of international fisheries. I cannot support this NAFTA.

INTRODUCTION OF LEGISLATION CUTTING \$20 BILLION OF FED- ERAL SPENDING

(Mr. SCHIFF asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. SCHIFF. Mr. Speaker, the majority leadership in the House of Representatives has promised the entire membership votes to cut further Federal spending. I want to advise my colleagues that today I am introducing a bill which, if enacted into law, would cut \$20 billion of Federal spending over the next 5 years. In particular, the \$20 billion of Federal spending that I would cut is actually a reversal of \$20 billion of new Federal spending which was created in the deficit reduction bill that the Congress passed earlier this year.

Mr. Speaker, the fact of the matter is that, although the administration's bill was called a deficit reduction bill, it included tens of billions of dollars in new spending. I would reverse the increasing of expenditures in welfare. I would reverse increase expenditures to subsidize political campaigns.

I want to make it clear, Mr. Speaker, that I understand that an argument can be made for this new spending, but that argument should be made in separate legislation. We should consider spending for welfare in a welfare reform bill. We should consider spending in political campaigns in a campaign reform bill, not in a deficit reduction bill that the public was asked to make sacrifices to enact.

NAFTA HAS MY SUPPORT

(Ms. PELOSI asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. PELOSI. Mr. Speaker, today the President will send the NAFTA legislation to the Congress. As we review this treaty, I think we all agree that the status quo is not acceptable, either environmentally or economically. It is clear that with the globalization of the economy we need a regional trading bloc in our hemisphere.

Mr. Speaker, most of us say that we need a NAFTA. The question is: Is it this NAFTA?

My particular concern about this NAFTA centers around fairness to American workers and the environmental enforcement issues. The administration has addressed some of these concerns in side agreements and in other initiatives such as the worker adjustment package and the NAD bank.

Mr. Speaker, in order to be fair to American workers and create jobs we must close the wage gap and expand markets for our products in Mexico. This can only be accomplished by recognizing Mexican workers' rights to organize and to strike. This week I received a letter from President Clinton clearly stating his commitment to enforce our trade laws relating to workers' rights.

Mr. Speaker, this NAFTA means jobs for my district and for California. It will clean up the environment on the border. It will create jobs for American workers, and it will have my support.

RUDY WON THANKS TO DEMOCRAT CAMPAIGNERS

(Ms. MOLINARI asked and was given permission to address the House for 1 minute.)

Ms. MOLINARI. Mr. Speaker, last night the people of New York City elected a new mayor, a Republican mayor for the first time since 1965, and we are very excited about our future under Rudolph Giuliani.

We are grateful, however, to David Dinkins who gave a gracious concession speech in the early morning hours, but there are a few other people we have to thank.

The President came to New York twice within the last months to stump for David Dinkins, as did the Vice President and Mrs. Clinton. Several Democrat Members of this body and the other body campaigned for the Mayor, and we were visited by the Secretary of the Interior, the Secretary of Transportation and the Secretary of Housing and Urban Development within the last 2 weeks twice.

So, Mr. Speaker, I say all of them, "Thank you. Rudy might not have been able to do it without you."

□ 1300

NEW JERSEY ELECTS A NEW GOVERNOR

(Mr. TORRICELLI asked and was given permission to address the House for 1 minute.)

Mr. TORRICELLI. Mr. Speaker, this morning the people of New Jersey awoke to a new Governor and the promise of a new administration. To Christie Whitman, the Governor-elect of New Jersey, let me say that we all wish her well. She carries with her and her new administration our greatest hopes for our State and our people.

Analysts will differ on what has produced her surprising victory. It is ultimately a debate that only she can answer. My own hopes would be that she would assure us that her administration and her victory in this election do not mean that our strong effort to control firearms and prevent crime will be lessened or that our commitment for cleaner air and water will be lessened or that our greatest assurance that every child will get equal access to a quality education might now end.

Mr. Speaker, with this administration, with this conclusion by Christie Whitman herself, indeed the State will get the new beginning that it deserves, with full credit to the Florio administration that began these efforts and now for the Whitman administration that can continue them.

LESSONS TO BE LEARNED FROM TUESDAY'S ELECTION

(Mr. GINGRICH asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. GINGRICH. Mr. Speaker, we had three major elections yesterday, in New York, New Jersey, and Virginia. There were three Republican victories and three Democrat defeats. Just as in Canada, there are some very big lessons. I think there are five lessons from yesterday to be learned.

First, voters are opposed to raising taxes; second, voters are very skeptical of big government and do not think it works; third, voters want efforts to create jobs and create economic growth; fourth, the voters are very concerned about crime and are tired of being frightened and want decisive action to lock up criminals and to take steps necessary to end violent crime; and, fifth, campaigning against NAFTA does not work. The leading Democrat campaigning against NAFTA was Governor Florio. It did not help him. He was defeated because NAFTA creates jobs and the voters want jobs to be created.

INVESTIGATION OF RON BROWN STALLED. ADMINISTRATION URGED TO STEP UP EFFORTS

(Mr. BURTON of Indiana asked and was given permission to address the

House for 1 minute and to revise and extend his remarks.)

Mr. BURTON of Indiana. Mr. Speaker, the White House, the Commerce Department, and the Justice Department are stone-walling the Congress of the United States. We have written to the three Departments I just mentioned, including the President, several times asking for information about Ron Brown's activities, telephone logs, travel documents, and so forth, because he is accused of taking \$700,000 as a downpayment from the Vietnamese Government to try to normalize relations with that country even though we have not had a full accounting of 2,200 POW-MIA's.

The White House had not responded, Justice has not responded, and Commerce has not responded, and yet the cloud continues to hang over this administration.

If Ron Brown has done nothing wrong, then why not give us that information? It is extremely important that we clarify these issues and get this cleaned up as quickly as possible because it stinks to high heaven. If he is innocent, give us the information and let us prove it. If he is not innocent, get him out of that Department. He should not be the head of any agency of this Government if he took money from the Vietnamese Government while we have those POW-MIA's unaccounted for.

RELIGIOUS FREEDOM RESTORATION ACT OF 1993

Mr. BROOKS. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H.R. 1308) to protect the free exercise of religion, with a Senate amendment thereto, and concur in the Senate amendment.

The Clerk read the title of the bill.

The Clerk read the Senate amendment, as follows:

Strike out all after the enacting clause and insert:

SECTION 1. SHORT TITLE.

This Act may be cited as the "Religious Freedom Restoration Act of 1993".

SEC. 2. CONGRESSIONAL FINDINGS AND DECLARATION OF PURPOSES.

(a) FINDINGS.—The Congress finds that—

(1) the framers of the Constitution, recognizing free exercise of religion as an unalienable right, secured its protection in the First Amendment to the Constitution;

(2) laws "neutral" toward religion may burden religious exercise as surely as laws intended to interfere with religious exercise;

(3) governments should not substantially burden religious exercise without compelling justification;

(4) in *Employment Division v. Smith*, 494 U.S. 872 (1990) the Supreme Court virtually eliminated the requirement that the government justify burdens on religious exercise imposed by laws neutral toward religion; and

(5) the compelling interest test as set forth in prior Federal court rulings is a workable test for striking sensible balances between religious liberty and competing prior governmental interests.

(b) PURPOSES.—The purposes of this Act are—

(1) to restore the compelling interest test as set forth in *Sherbert v. Verner*, 374 U.S. 398 (1963) and *Wisconsin v. Yoder*, 406 U.S. 205 (1972) and to guarantee its application in all cases where free exercise of religion is substantially burdened; and

(2) to provide a claim or defense to persons whose religious exercise is substantially burdened by government.

SEC. 3. FREE EXERCISE OF RELIGION PROTECTED.

(a) IN GENERAL.—Government shall not substantially burden a person's exercise of religion even if the burden results from a rule of general applicability, except as provided in subsection (b).

(b) EXCEPTION.—Government may substantially burden a person's exercise of religion only if it demonstrates that application of the burden to the person—

(1) is in furtherance of a compelling governmental interest; and

(2) is the least restrictive means of furthering that compelling governmental interest.

(c) JUDICIAL RELIEF.—A person whose religious exercise has been burdened in violation of this section may assert that violation as a claim or defense in a judicial proceeding and obtain appropriate relief against a government. Standing to assert a claim or defense under this section shall be governed by the general rules of standing under article III of the Constitution.

SEC. 4. ATTORNEYS FEES.

(a) JUDICIAL PROCEEDINGS.—Section 722 of the Revised Statutes (42 U.S.C. 1988) is amended by inserting "the Religious Freedom Restoration Act of 1993," before "or title VI of the Civil Rights Act of 1964".

(b) ADMINISTRATIVE PROCEEDINGS.—Section 504(b)(1)(C) of title 5, United States Code, is amended—

(1) by striking "and" at the end of clause (ii);

(2) by striking the semicolon at the end of clause (iii) and inserting "; and"; and

(3) by inserting "(iv) the Religious Freedom Restoration Act of 1993;" after clause (iii).

SEC. 5. DEFINITIONS.

As used in this Act—

(1) the term "government" includes a branch, department, agency, instrumentality, and official (or other person acting under color of law) of the United States, a State, or a subdivision of a State;

(2) the term "State" includes the District of Columbia, the Commonwealth of Puerto Rico, and each territory and possession of the United States;

(3) the term "demonstrates" means meets the burdens of going forward with the evidence and of persuasion; and

(4) the term "exercise of religion" means the exercise of religion under the First Amendment to the Constitution.

SEC. 6. APPLICABILITY.

(a) IN GENERAL.—This Act applies to all Federal and State law, and the implementation of that law, whether statutory or otherwise, and whether adopted before or after the enactment of this Act.

(b) RULE OF CONSTRUCTION.—Federal statutory law adopted after the date of the enactment of this Act is subject to this Act unless such law explicitly excludes such application by reference to this Act.

(c) RELIGIOUS BELIEF UNAFFECTED.—Nothing in this Act shall be construed to authorize any government to burden any religious belief.

SEC. 7. ESTABLISHMENT CLAUSE UNAFFECTED.

Nothing in this Act shall be construed to affect, interpret, or in any way address that

portion of the First Amendment prohibiting laws respecting the establishment of religion (referred to in this section as the "Establishment Clause"). Granting government funding, benefits, or exemptions, to the extent permissible under the Establishment Clause, shall not constitute a violation of this Act. As used in this section, the term "granting", used with respect to government funding, benefits, or exemptions, does not include the denial of government funding, benefits, or exemptions.

Mr. BROOKS (during the reading). Mr. Speaker, I ask unanimous consent that the Senate amendment be considered as read and printed in the RECORD.

The SPEAKER pro tempore (Mr. MONTGOMERY). Is there objection to the request of the gentleman from Texas?

There was no objection.

The SPEAKER pro tempore. Is there objection to the original request of the gentleman from Texas?

Mr. HYDE. Mr. Speaker, reserving the right to object, I yield to the distinguished chairman of the Committee on the Judiciary to explain to the House the purpose of this request.

Mr. BROOKS. Mr. Speaker, will the gentleman yield?

Mr. HYDE. I yield to the chairman of the committee.

Mr. BROOKS. Mr. Speaker, this legislation, which passed the House under suspension of the rules on May 11, 1993, restores the standard for addressing claims under the free exercise clause of the first amendment as it was prior to its evisceration by the Supreme Court 3 years ago in the Smith case. Under longstanding constitutional principles, the governmental burden of the free exercise of religion was subject to the strictest test of constitutional scrutiny. This legislation reinstates the strict scrutiny test in place prior to Smith as a statutory requirement.

The Senate passed the legislation on October 27, with an amendment clarifying that a plaintiff asserting a free exercise claim must demonstrate that it imposes a substantial burden on his religious practice. This amendment is consistent with the intent of the bill, and prior caselaw, which does not protect persons against State actions which have only an incidental burden on their religious exercise.

I urge the Members to accept the Senate amendment to the House bill and restore one of the most fundamental freedoms enshrined in our Constitution—the right to practice one's faith without undue interference at the hands of the Government.

Mr. HYDE. Mr. Speaker, continuing to reserve my right to object, I do want to say that I am, of course, delighted to see any attention at all paid to that portion of the First Amendment dealing with the free exercise of religion—which has been honored more in its neglect than in its observation.

With respect to the legislation before us, the other body has amended the House-passed bill to add the word "substantially" at several points.

The key provision now reads "Government may substantially burden a person's exercise of religion only if it demonstrates that application of the burden to the person (1) furthers a compelling governmental interest; and (2) is the least restrictive means of furthering that compelling governmental interest."

I fear that the Senate amendment, while it has its uses, does add a tone of indefiniteness to the types of burdens that qualify for restriction under this new statute. I hope the additions do not render this legislation so vague as to raise first amendment considerations.

With respect to the concerns raised by prison administrators and other State correctional officers, I wish to emphasize, once again, that their unique problems in the operation of prison facilities—in maintaining security, discipline, and order—should qualify as a compelling interest under the statutory standard.

I also think it should be made clear that if the Government burdens religious activities in a way that is not substantial, a claim may still be made under the constitutional standard as set forth in Oregon versus Smith.

Mr. Speaker, this is a significant piece of legislation. It is the result of bruising hours of debate between many people of good will. I want to congratulate everyone who worked to gain its passage, the chairman of the committee, the gentleman from Texas [Mr. BROOKS], the gentleman from New York [Mr. SCHUMER], and the gentleman from California [Mr. EDWARDS], and I hope it meets the expectations of those concerned about the free exercise of religion.

Mr. SCHUMER. Mr. Speaker, will the gentleman yield?

Mr. HYDE. I yield to the gentleman from New York.

□ 1310

Mr. SCHUMER. Mr. Speaker, I thank the gentleman for yielding to me.

I just wanted to thank the chairman of our committee, the ranking member, the gentleman from Illinois (Mr. HYDE), my lead cosponsor on this bill, the gentleman from California [Mr. COX], for their work. This was truly a bipartisan effort, and the delicate balance between the Government's interest and the freedom of religion, I think, will be restored once this bill is signed.

I would agree with both the chairman and the gentleman from Illinois that even if the prison situation, which caused some problems in the other body, once again, if the State proves a compelling interest, then it will prevail. That is how it always had been, until the Smith case. It will continue to be.

This is a good moment for those of us who believe in the flower of religious freedom that so adorns America, be-

cause it is so important for us to allow that freedom to flourish and not to come down on it unless we really have to.

This bill does that. I thank everybody who worked so hard on it.

Mr. HYDE. Mr. Speaker, further reserving the right to object, I might say to the two distinguished gentlemen, it would not be malapropos to also thank Mr. Stephen Solarz, who originally plowed this ground. I think he deserves some credit.

Mr. SCHUMER. Mr. Speaker, if the gentleman will continue to yield, it is not malapropos. It is perfectly fitting and appropriate. Congressman Solarz originally drafted this bill and worked on it long and hard. He deserves a heck of a lot of credit. He should be very happy with what we have done here today.

Mr. EDWARDS of California. Mr. Speaker, today, we have taken another step to ensure that the promise of the first amendment and the protections afforded by the Constitution are available to all religious believers. By passing the Religious Freedom Restoration Act of 1993, we send a clear message to all governmental entities and individuals. The message is that the free exercise of religion is a necessity, not a luxury, and will be defended by the Congress.

I want to express my thanks to Congressman SCHUMER and Congressman COX, as well as the hundreds of members of the Coalition for the Free Exercise of Religion. In particular, I want to thank Rev. Oliver Thomas, J. Brent Walker, Robert Peck, Rabbi David Saperstein, Forest Montgomery, Leslie Harris, Jim Halpert, Steven McFarland, Richard Foltin, and Judy Golub.

Mr. HOYER. Mr. Speaker, I rise in strong support of the Religious Freedom Restoration Act of 1993. I commend Chairman BROOKS, the gentleman from Texas, and the gentleman from California, Chairman EDWARDS, for their sincere efforts in restoring a right which is so sacred to the American people. Former Congressman Stephen Solarz, who championed this bill in the last Congress, is to be commended and congratulated for his diligence and commitment.

Mr. Speaker, the people look to the first amendment as a guarantee that they will be able to practice their religion freely without any type of government intervention. Unless the government can show a compelling interest to interfere, the government should adhere to a hands-off approach to the religious practices of the citizenry.

Mr. Speaker, today we have the ability to assure the American people that they can once again practice their religion freely, absent a compelling State interest. It is quite evident the Framers of the Constitution realized the importance of religious freedom. This is evidenced by its place in the Bill of Rights as the first amendment. We must heed the knowledge and wisdom of the Founding Fathers and ensure that their progeny continue to possess a right so precious.

Today, Mr. Speaker, we can undo the harm of the Supreme Court decision in Smith and passing this legislation is the required means.

Our decision today can remedy a decision which posed great risk to the religious rights of all Americans. Religious freedom will again be a fundamental constitutional right.

Mr. Speaker, I commend the religious groups who coalesced and set aside religious differences and political agendas so that all Americans regardless of their religion are able to enjoy religious liberty and freedom.

Mr. Speaker, I also commend the efforts of those who fought hard to safeguard a right which is so sacred and fundamental.

I urge all of my colleagues to support this legislation.

Mr. HYDE. Mr. Speaker, I withdraw my reservation of objection.

The SPEAKER pro tempore (Mr. MONTGOMERY). Is there objection to the original request of the gentleman from Texas?

There was no objection.

A motion to reconsider was laid on the table.

GENERAL LEAVE

Mr. BROOKS. Mr. Speaker, I ask unanimous consent that all Members shall have 5 legislative days in which to revise and extend their remarks on H.R. 1308, the legislation just under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to the provisions of clause 5, rule I, the Chair announces that he will postpone further proceedings today on each motion to suspend the rules on which a recorded vote or the yeas and nays are ordered, or on which the vote is objected to under clause 4 of rule XV.

Such rollcall votes, if postponed, will be taken at the end of legislative business today, following the vote on House Resolution 2684.

GRANTS TO INCREASE POLICE PRESENCE AND EXPAND COOPERATION BETWEEN POLICE AND COMMUNITIES

Mr. BROOKS. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 3355) to amend the Omnibus Crime Control and Safe Streets Act of 1968 to allow grants to increase police presence, to expand and improve cooperative efforts between law enforcement agencies and members of the community to address crime and disorder problems, and otherwise to enhance public safety, as amended.

The Clerk read as follows:

H.R. 3355

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. COMMUNITY POLICING; "COPS ON THE BEAT".

(a) IN GENERAL.—Title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3711 et seq.) is amended by—

- (1) redesignating part Q as part R;
- (2) redesignating section 1701 as section 1801; and
- (3) inserting after part P the following new part:

"PART Q—PUBLIC SAFETY AND COMMUNITY POLICING; 'COPS ON THE BEAT'"

"SEC. 1701. AUTHORITY TO MAKE PUBLIC SAFETY AND COMMUNITY POLICING GRANTS."

"(a) GRANT AUTHORIZATION.—The Attorney General is authorized to make grants to States and units of local government, and to other public and private entities, to increase police presence, to expand and improve cooperative efforts between law enforcement agencies and members of the community to address crime and disorder problems, and otherwise to enhance public safety.

"(b) REHIRING AND HIRING GRANT PROJECTS.—Grants made under the authority of subsection (a) of this section may be used for programs, projects, and other activities to—

"(1) rehire law enforcement officers who have been laid off as a result of State and local budget reductions for deployment in community-oriented policing; and

"(2) hire and train new, additional career law enforcement officers (including cadets and trainees) for deployment in community-oriented policing across the Nation.

"(c) ADDITIONAL GRANT PROJECTS.—Grants made under the authority of subsection (a) of this section also may include programs, projects, and other activities to—

"(1) increase the number of law enforcement officers involved in activities that are focused on interaction with members of the community on proactive crime control and prevention by redeploying officers to such activities;

"(2) provide specialized training to law enforcement officers to enhance their conflict resolution, mediation, problem solving, service, and other skills needed to work in partnership with members of the community;

"(3) increase police participation in multidisciplinary early intervention teams;

"(4) develop new technologies to assist State and local law enforcement agencies in reorienting the emphasis of their activities from reacting to crime to preventing crime;

"(5) develop and implement innovative programs to permit members of the community to assist State and local law enforcement agencies in the prevention of crime in the community;

"(6) establish innovative programs to reduce, and keep to a minimum, the amount of time that law enforcement officers must be away from the community while awaiting court appearances;

"(7) establish and implement innovative programs to increase and enhance proactive crime control and prevention programs involving law enforcement officers and young persons in the community;

"(8) develop and establish new administrative and managerial systems to facilitate the adoption of community-oriented policing as an organization-wide philosophy; and

"(9) establish, implement, and coordinate crime prevention and control programs (involving law enforcement officers working with community members) with other existing Federal programs that serve the community and community members to better address the comprehensive needs of such community and its members.

"(d) PREFERENTIAL CONSIDERATION OF APPLICATIONS FOR CERTAIN GRANTS.—In awarding grants under this part, the Attorney General may give preferential consideration to grants for hiring and rehiring additional career law enforcement officers that involve a non-Federal contribution exceeding the 25 percent minimum under subsection (h) of this section.

"(e) TECHNICAL ASSISTANCE.—(1) The Attorney General may provide technical assistance to States and units of local government, and to other public and private entities, in furtherance of the purposes of this part.

"(2) The technical assistance provided by the Attorney General may include the development of a flexible model that will define for States and units of local government, and other public and private entities, definitions and strategies associated with community or problem-oriented policing and methodologies for its implementation.

"(3) The technical assistance provided by the Attorney General may include the establishment and operation of training centers or facilities, either directly or by contracting or cooperative arrangements. The functions of the centers or facilities established under this paragraph may include instruction and seminars for police executives, managers, trainers, and supervisors concerning community or problem-oriented policing and improvements in police-community interaction and cooperation that further the purposes of this part.

"(f) UTILIZATION OF DEPARTMENT OF JUSTICE OFFICES AND SERVICES.—The Attorney General may utilize any office or service of the Department of Justice in carrying out this part.

"(g) MINIMUM AMOUNT.—Each qualifying State, together with grantees within the State, shall receive in each fiscal year pursuant to subsection (a) of this not less than 0.25 percent of the total amount appropriated in the fiscal year for grants pursuant to such subsection. As used in this subsection, 'qualifying State' means any State which has submitted an application for a grant, or in which an eligible entity has submitted an application for a grant, which meets the requirements prescribed by the Attorney General and the conditions set out in this part.

"(h) MATCHING FUNDS.—The portion of the costs of a program, project, or activity provided by a grant under subsection (a) of this section may not exceed 75 percent, unless the Attorney General waives, wholly or in part, the requirement under this subsection of a non-Federal contribution to the costs of a program, project, or activity. In relation to a grant for a period exceeding one year for hiring or re-hiring career law enforcement officers, the Federal share shall decrease from year to year, looking towards the continuation of the increased hiring level using State or local sources of funding following the conclusion of Federal support, as provided in an approved plan pursuant to section 1702(c)(8) of this part.

"(i) ALLOCATION OF FUNDS.—The funds available under this part shall be allocated as provided in section 1001(a)(11)(B) of this title.

"(j) TERMINATION OF GRANTS FOR HIRING OFFICERS.—The authority under subsection (a) of this section to make grants for the hiring and rehiring of additional career law enforcement officers shall lapse at the conclusion of six years from the date of enactment of this part. Prior to the expiration of this grant authority, the Attorney General shall submit a report to Congress concerning the

experience with and effects of such grants. The report may include any recommendations the Attorney General may have for amendments to this part and related provisions of law in light of the termination of the authority to make grants for the hiring and rehiring of additional career law enforcement officers.

"SEC. 1702. APPLICATIONS.

"(a) IN GENERAL.—No grant may be made under this part unless an application has been submitted to, and approved by, the Attorney General.

"(b) FORM AND CONTENT OF APPLICATION.—An application for a grant under this part shall be submitted in such form, and contain such information, as the Attorney General may prescribe by regulation or guidelines.

"(c) COMPLIANCE WITH REGULATIONS OR GUIDELINES.—In accordance with the regulations or guidelines established by the Attorney General, each application for a grant under this part shall—

"(1) include a long-term strategy and detailed implementation plan that reflects consultation with community groups and appropriate private and public agencies and reflects consideration of the statewide strategy under section 503(a)(1) of this part;

"(2) demonstrate a specific public safety need;

"(3) explain the locality's inability to address the need without federal assistance;

"(4) identify related governmental and community initiatives which complement or will be coordinated with the proposal;

"(5) certify that there has been appropriate coordination with all affected agencies;

"(6) outline the initial and ongoing level of community support for implementing the proposal including financial and in-kind contributions or other tangible commitments;

"(7) specify plans for obtaining necessary support and continuing the proposed program, project, or activity following the conclusion of Federal support; and

"(8) if the application is for a grant for hiring or rehiring additional career law enforcement officers—

"(A) specify plans for the assumption by the grantee of a progressively larger share of the cost in the course of time, looking towards the continuation of the increased hiring level using State or local sources of funding following the conclusion of Federal support;

"(B) assess the impact, if any, of the increase in police resources on other components of the criminal justice system;

"(C) explain how the grant will be utilized to re-orient the affected law enforcement agency's mission towards community-oriented policing or enhance its involvement in or commitment to community-oriented policing; and

"(D) ensure that, to the extent practicable, grantees seek and recruit members of racial, ethnic, and gender minority groups whose representation in the law enforcement agency for which funds are sought is less than in the general population qualified for such employment in such jurisdiction.

"SEC. 1703. REVIEW OF APPLICATIONS BY STATE OFFICE.

"(a) IN GENERAL.—Except as provided in subsection (c) or (d), an applicant for a grant under this part shall submit an application to the State office designated under section 507 of this title in the State in which the applicant is located for initial review.

"(b) INITIAL REVIEW OF APPLICATION.—The State office referred to in subsection (a) of this section shall review applications for grants under this part submitted to it, based

upon criteria specified by the Attorney General by regulation or guidelines, and rank such applications based upon the criteria specified by the Attorney General. The State office referred to in subsection (a) of this section shall submit the list along with all grant applications and supporting materials received to the Attorney General.

"(c) DIRECT APPLICATION TO THE ATTORNEY GENERAL BY CERTAIN MUNICIPALITIES.—Notwithstanding subsection (a) of this section, municipalities whose population exceeds 100,000 may submit an application for a grant under this part directly to the Attorney General. For purposes of this subsection, 'municipalities whose population exceeds 100,000' means units of local government or law enforcement agencies having jurisdiction over areas with populations exceeding 100,000, and consortia or associations that include one or more such units of local government or law enforcement agencies.

"(d) DIRECT APPLICATION TO THE ATTORNEY GENERAL BY OTHER APPLICANTS.—Notwithstanding subsection (a) of this section, if a State chooses not to carry out the functions described in subsection (b) of this section, an applicant in the State may submit an application for a grant under this part directly to the Attorney General.

"SEC. 1704. RENEWAL OF GRANTS.

"(a) IN GENERAL.—Except for grants made for hiring or rehiring additional career law enforcement officers, a grant under this part may be renewed for up to two additional years after the first fiscal year during which a recipient receives its initial grant if the Attorney General determines that the funds made available to the recipient were used in a manner required under an approved application and if the recipient can demonstrate significant progress in achieving the objectives of the initial application.

"(b) GRANTS FOR HIRING.—Grants made for hiring or rehiring additional career law enforcement officers may be renewed for up to five years, subject to the requirements of subsection (a) of this section, but notwithstanding the limitation in that subsection concerning the number of years for which grants may be renewed.

"(c) MULTI-YEAR GRANTS.—A grant for a period exceeding one year may be renewed as provided in this section, except that the total duration of such a grant including any renewals may not exceed three years, or six years if it is a grant made for hiring or rehiring additional career law enforcement officers.

"SEC. 1705. LIMITATION ON USE OF FUNDS.

"(a) NON-SUPPLANTING REQUIREMENT.—Funds made available under this part to States or units of local government shall not be used to supplant State or local funds, but will be used to increase the amount of funds that would, in the absence of Federal funds, be made available from State or local sources.

"(b) ADMINISTRATIVE COSTS.—No more than 5 percent of the funds available under this part may be used for the costs of States in carrying out the functions described in section 1703(b) or other administrative costs.

"(c) NON-FEDERAL COSTS.—States and units of local government may use assets received through the assets forfeiture equitable sharing program to cover the non-Federal portion of programs, projects, and activities funded under this part.

"(d) HIRING COSTS.—Funding provided under this part for hiring or rehiring a career law enforcement officer may not exceed \$75,000, unless the Attorney General grants a waiver from this limitation.

"SEC. 1706. PERFORMANCE EVALUATION.

"(a) EVALUATION COMPONENTS.—

(1) Each program, project, or activity funded under this part shall contain an evaluation component, developed pursuant to guidelines established by the Attorney General.

(2) The evaluations required by paragraph (1) shall include outcome measures that can be used to determine the effectiveness of the funded programs, projects, activities and a description of the geographic dispersion, and racial, ethnic, and gender diversity of rehired and new employees. Outcome measures may include crime and victimization indicators, quality of life measures, community perceptions, and police perceptions of their own work.

"(b) PERIODIC REVIEW AND REPORTS.—The Attorney General shall review the performance of each grant recipient under this part. The Attorney General may require a grant recipient to submit to the Attorney General the results of the evaluations required under subsection (a) and such other data and information as the Attorney General deems reasonably necessary to carry out the responsibilities under this subsection.

"SEC. 1707. REVOCATION OR SUSPENSION OF FUNDING.

"If the Attorney General determines, as a result of the reviews required by section 1706 of this part, or otherwise, that a grant recipient under this part is not in substantial compliance with the terms and requirements of an approved grant application submitted under section 1702 of this part, the Attorney General may revoke or suspend funding of that grant, in whole or in part.

"SEC. 1708. ACCESS TO DOCUMENTS.

"(a) BY THE ATTORNEY GENERAL.—The Attorney General shall have access for the purpose of audit and examination to any pertinent books, documents, papers, or records of a grant recipient under this part, as well as the pertinent books, documents, papers, or records of States and units of local government, persons, businesses, and other entities that are involved in programs, projects, or activities for which assistance is provided under this part.

"(b) BY THE COMPTROLLER GENERAL.—The provisions of subsection (a) of this section shall also apply with respect to audits and examinations conducted by the Comptroller General of the United States or by an authorized representative of the Comptroller General.

"SEC. 1709. GENERAL REGULATORY AUTHORITY.

"The Attorney General is authorized to promulgate regulations and guidelines to carry out this part.

"SEC. 1710. DEFINITION.

"For the purposes of this part, the term 'career law enforcement officer' means a person hired on a permanent basis who is authorized by law or by a State or local public agency to engage in or supervise the prevention, detection, or investigation of violations of criminal laws."

(b) TECHNICAL AMENDMENT.—The table of contents of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3711, et seq.) is amended by striking the material relating to part Q and inserting the following:

"PART Q—PUBLIC SAFETY AND COMMUNITY POLICING; 'COPS ON THE BEAT'"

"Sec. 1701. Authority to make public safety and community policing grants.

"Sec. 1702. Applications.

"Sec. 1703. Review of applications by State office.

- "Sec. 1704. Renewal of grants.
- "Sec. 1705. Limitation on use of funds.
- "Sec. 1706. Performance evaluation.
- "Sec. 1707. Revocation or suspension of funding.
- "Sec. 1708. Access to documents.
- "Sec. 1709. General regulatory authority.
- "Sec. 1710. Definition.

"PART R—TRANSITION—EFFECTIVE DATE—
REPEALER

- "Sec. 1801. Continuation of rules, authorities and proceedings."

SEC. 2. AUTHORIZATION OF APPROPRIATIONS.

(a) AUTHORIZATION.—Section 1001(a) of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3793) is amended—

(1) in paragraph (3) by striking "and O." and inserting "O, P, and Q."; and

(2) by adding at the end the following:

"(1)(A) There are authorized to be appropriated to carry out part Q, to remain available until expended, \$200,000,000 for fiscal year 1994 and \$650,000,000 for each of the fiscal years 1995, 1996, 1997, 1998, and 1999.

"(B) Of funds available under part Q in any fiscal year, up to 5 percent may be used for technical assistance under section 1701(e) or for evaluations or studies carried out or commissioned by the Attorney General in furtherance of the purposes of part Q, and up to 5 percent may be used for the costs of States in carrying out the functions described in section 1703(b) or other administrative costs. Of the remaining funds, 50 percent shall be allocated for grants pursuant to applications submitted as provided in section 1703(a) or (d), and 50 percent shall be allocated for grants pursuant to applications submitted as provided in section 1703(c). Of the funds available in relation to grants pursuant to applications submitted as provided in section 1703(a) or (d), at least 85 percent shall be applied to grants for the purposes specified in section 1701(b), and no more than 15 percent may be applied to other grants in furtherance of the purposes of part Q. Of the funds available in relation to grants pursuant to applications submitted as provided in section 1703(c), at least 85 percent shall be applied to grants for the purposes specified in section 1701(b), and no more than 15 percent may be applied to other grants in furtherance of the purposes of part Q.

"(C) Notwithstanding the provisions of section 1703, no funds allocated for grants pursuant to applications submitted as provided under subsections (a) or (d) of section 1703 shall be allocated for grants to a municipality (as defined in section 1703(c))."

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Texas [Mr. BROOKS] will be recognized for 20 minutes, and the gentleman from Wisconsin [Mr. SENSENBRENNER] will be recognized for 20 minutes.

The Chair recognizes the gentleman from Texas [Mr. BROOKS].

Mr. BROOKS. Mr. Speaker, I yield myself such time as I may consume.

Mr. MCCOLLUM. Mr. Speaker, will the gentleman yield?

Mr. BROOKS. I yield to the gentleman from Florida.

Mr. MCCOLLUM. Mr. Speaker, some of us are very concerned that these bills out here today, the five of them that are coming before us, led off with this cops in the streets bill, while we support most everything that is in here, do not constitute a really tough

crime bill like we thought was going to come out.

It does not give us an opportunity to vote on those things that would restore swiftness and certainty of punishment or put deterrents or incapacitation in the law. It does not bring out here today the parts of the bills that we have had on restoring the death penalty or habeas corpus reforms or changing the rules of evidence or, in our case, the drug kingpin death penalty, or regional prison opportunities or criminal alien reforms or crimes against women and minimum mandatory sentences, a whole litany of things that those of us on our side of the aisle believe, and I think the gentleman from Texas, the chairman, believes are essential to any major package of crime reform.

I am wondering if the gentleman would enlighten us, since we have out here today these grant programs, as important as they may be in their small way, when will we see a major crime bill that includes some of these other things that I am talking about and some of the things that were in the gentleman's bill that he pulled from the committee a week ago?

Mr. BROOKS. Mr. Speaker, as the gentleman is aware, I introduced an omnibus bill, H.R. 3131, the Violent Crime Control and Law Enforcement Act of 1993, on September 23, 1993. At the time of introduction, it had been my hope that both the committee and the House could consider and debate all the provisions of that measure—including the death penalty provisions, reform of habeas corpus, treatment of mandatory minimum sentences, funds for prison construction, violence against women, just to name a few subjects.

However, as the gentleman is aware, I received requests from both Democratic and Republican Members to permit further deliberation by the subcommittees on these controversial substantive topics. In light of those requests, and to avoid any possibility that Congress would adjourn without acting positively on a number of essential, crime prevention measures, I decided to push forward with the five bills we are considering today, and referred all other provisions of H.R. 3131 the Washington bill and the McCollum bill to the relevant subcommittees.

Next session, following appropriate subcommittee deliberation, I intend to follow up on my initial desire to consider the areas that you have expressed interest in and have these considered by the full House. If it is possible to do a larger crime bill encompassing a number of these areas, that is fine. If there is any problem with taking that approach, then I will process the provisions individually following subcommittee action so that both the full committee and the full House can express their will on these crucial mat-

ters of importance to the American public.

I look forward to working with the gentleman constructively in addressing all these areas of crime, which is of such great concern to all Americans.

Mr. MCCOLLUM. Mr. Speaker, if the gentleman will continue to yield, I know the gentleman is sincere about his support, because he has given it in some of these areas in the past. He and I have discussed this. But it occurs to me that what we do not have is a good, solid commitment that I know the gentleman is willing to make, to, I will use the word I used in committee, "prod," nudge, whatever, to assure us that the subcommittee chairmen will not be allowed to sit on this so that these bills and these issues do not come out of here until summer or late fall.

I am not talking about the gentleman from New York [Mr. SCHUMER]. I am sure he is going to bring his out.

These bills are in a variety of subcommittees, the way the gentleman referred it. I do not have any assurance, unless the gentleman gives it, we do not have any assurance that they are really going to get out in a timely fashion to be considered next year.

I do not know whether that is March or April, but we know it is not June, July or August.

If he does, we just will not have a bill out here. I would like to know what the chairman has to say about the timing on this and his willingness to push these subcommittee chairmen to produce this legislation.

Mr. BROOKS. Mr. Speaker, I say to my distinguished friend, the gentleman from Florida, that the subcommittee chairmen are all assiduous, diligent workers. I feel sure that they will do their jobs promptly.

In the event that they do not, bills can be moved from the subcommittee to the full committee for consideration, and it would be my hope that these major portions of the comprehensive bill that I introduced earlier can be acted on by the Committee on the Judiciary, by the subcommittees, by the committee, by the Congress, by the House, by the other body, conferences can be agreed and that they can be on the President's desk before we leave next year.

I do not want them delayed. I would like to act on them as soon as possible and will, if I can get the votes.

Mr. MCCOLLUM. Mr. Speaker, if the gentleman will continue to yield, one of the things he has not mentioned that is of great concern to us is the concept of regional prisons that was not in the gentleman's bill. Is there any assurance he can give to our side of the aisle that that issue would come up in some form or some vehicle would come up where we could argue it or debate it or have it at least heard at some point this next year?

Mr. BROOKS. Mr. Speaker, the subcommittees have it in there and prison

funding is a part of the major bill, and amendments would be offered, I am sure, various types on prison funding and activities for State, Federal, et cetera.

So I think that the gentleman will have an opportunity to argue those issues in the subcommittee and, more likely, in the full committee.

Mr. McCOLLUM. Mr. Speaker, it is not my intent to tie the gentleman down to a specific date, because I know he will not be, but he should be aware that we would be much more comfortable, I think the House would be much better served, if we did have a date certain that we had to report a comprehensive set of these out in an early period like April or so of next year.

I know the gentleman is not willing to do that, because he has told me that before. But here is a very strong desire on this side, and I want to convey that to the gentleman, that we do have these opportunities to vote next year on something meaningful.

Our Members just do not believe what is out here today is going to come close to doing the trick. It is not that it is harmful. It is helpful. But it is around the margins. Many of them think it is a sham.

I know that is not the gentleman's intent so I am not characterizing his bills out here or our bills out here today that way. But many feel that way because they really feel that the ones we have mentioned that have yet to come out are the critical ones so the absence of a date certain does present a problem. I know the gentleman is reluctant to do that, but that is the real concern over here. I wish to express that to the gentleman.

□ 1320

Mr. Speaker, I rise in support of H.R. 3355, a 6-year grant program authorizing \$200 million in fiscal year 1994 and \$650 million in each of the 5 subsequent fiscal years for grants to State and local governments to implement community policing programs.

In far too many communities across this land, the police and the communities they serve have become estranged from each other. Even more unfortunately, they sometimes even perceive each other as enemies.

Not too long ago in our country, cops were the friends of the neighborhood where they walked their beats. The neighbors and the cops knew each other's names. They shared information about their lives and businesses and had the good will that comes naturally from daily association. Because of this continuous association, crimes were often able to be prevented in advance. Regrettably, this most important societal connection has broken down. Now, all too frequently, police officers can only react to crimes already committed.

As a society, we need to reestablish that link between our police force and our neighborhoods. We need to get the officers out from behind the desks, out of their cars, and back on the streets where they can be in daily contact with the life of the community and the people who live in it. No amount of high technology and computer linkups can substitute for protection and deterrence in the field.

President Clinton deserves great praise for elevating this program as his top priority in the fight against crime.

I compliment the gentleman from New York [Mr. SCHUMER] and his subcommittee for their leadership on this issue, as well as the gentleman from Illinois [Mr. HYDE], the gentleman from Florida [Mr. MCCOLLUM], and all of the Republicans, the vast majority of whom supported this legislation.

Mr. Speaker, I reserve the balance of my time.

Mr. SENSENBRENNER. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, in the 40 minutes that are allotted for debate on this bill, one or two Americans will be murdered, eight women will be raped, there will be 110 violent crimes committed against other American citizens, and 82 assaults. Crime is a problem that is out of control in this country, and the costs of crime are touching all Americans, if not directly as crime victims, indirectly in terms of the insurance premiums they pay, having to pick up the slack for work that is lost because victims are in the hospital recovering from injuries, as well as welfare costs being increased.

What is this Congress doing to address the crime problem? These five bills, which are unfunded authorizations, which do not appropriate one penny of the taxpayers' dollars, and which unjustifiably increase the expectations of our constituents that something meaningful is being done to fight the crime problem.

Several weeks ago President Clinton and Attorney General Janet Reno outlined a comprehensive anticrime approach in the Rose Garden of the White House. The chairman of the Committee on the Judiciary, the gentleman from Texas [Mr. BROOKS], introduced most of those recommendations in his own comprehensive anticrime package. In addition, the gentleman from Florida [Mr. MCCOLLUM] on behalf of the Republican Task Force on Crime, introduced a comprehensive anticrime bill. I introduced one of my own, comprehensive, thorough, attempting to address the problems which are touching our constituents and all Americans in such a terrible way.

Mr. Speaker, what has the Committee on the Judiciary been able to do to address the concerns of Americans, to pick up the torch that the President and the Attorney General have handed

to us? Five little skinny bills like this, none of which appropriate money to implement the good ideas that are contained in them being placed on the floor of the House of Representatives today.

Why has the Committee on the Judiciary failed so utterly in its duty in coming up with comprehensive anticrime legislation? The answer simply is partisanship, partisanship that does not belong in this issue, and partisanship which is no fault of the Republican Minority, because we are willing to work with the chairman, with the President, and with the administration to address these problems, because the victims of crime are not partisan and society is not partisan on this issue, either.

Mr. Speaker, how did partisanship creep into this entire debate? It is because the chairman of the Committee on the Judiciary did not have the Democratic votes to pass his crime bill out of committee. He scheduled it for action and then he canceled the markup when a competing proposal was introduced by the gentleman from Texas [Mr. WASHINGTON] and other members of the Black Caucus.

Rather than coming to the Republican side of the aisle to come up with a comprehensive bipartisan anticrime bill, we get these five fig leaves that do not do anything as their response to the problems that are so touching our constituents.

Mr. Speaker, let us take a look at the bill that is before us. It is a bill that authorizes money for Federal grants to put cops on the beat. I am all in favor of this idea, because I believe that getting the police out of the squad car and onto the beat in urban and suburban areas is going to allow them to prevent crime before it is committed, rather than to react to a 911 call, where a citizen is urgently asking for police help because a loved one or themselves have been shot.

If this bill were funded, not by raising taxes or increasing the deficit, but funded by reducing other appropriations and reordering Federal spending priorities, there would be unanimous praise in the House of Representatives and among the public for the actions that this Congress is taking today, but it is not. Passing this bill is not going to put one single police officer on the beat in any community in the country, not in Beaumont, TX, not in Brooklyn, NY, not in Bensonville, IL, or Albuquerque, NM, or Menomonee Falls, WI.

To prove this point, I submit for the record a letter that has been introduced by the director of the Congressional Budget Office, Robert Reischauer, dated November 1 and addressed to the chairman of the Committee on the Judiciary, the gentleman from Texas [Mr. BROOKS].

DEAR MR. CHAIRMAN: The Congressional Budget Office has prepared the enclosed cost

estimate for H.R. 3355, a bill to amend the Omnibus Crime Control and Safe Streets Act of 1968 to allow grants to increase police presence, to expand and improve cooperative efforts between law enforcement agencies and members of the community, to address crime and disorder problems, and to otherwise enhance public safety.

Enactment of H.R. 3355 will not affect direct spending or receipts. Therefore, pay-as-you-go procedures will not apply to this bill. If you wish further details on this estimate, we are pleased to provide them.

This bill, and Director Reischauer's analysis of the bill, shows the difference between the Republican approach and the Democratic approach on this issue. The Democrats have introduced and are attempting to pass an unfunded appropriation bill. Both the bill of the gentleman from Florida [Mr. MCCOLLUM] and myself are funded. We have reordered the priorities of the U.S. Government to take money out of low-priority programs and to put it into putting cops on the beat, and the Democrats have not.

□ 1330

The bill which I introduced reallocates unallocated accounts in various executive departments and agencies to fund an anticrime package. The bill offered by the gentleman from Florida [Mr. MCCOLLUM] provides for a 5 percent across-the-board reduction in administrative costs in executive departments and agencies to fund cops on the beat. The Democrats' bill does not provide a penny to do that.

That is why it is one of those bills that gives the public the wrong impression that Congress is doing something to address this issue without putting our money where our mouth is. And that is the sham that is going on.

But it is not just this bill and the other three grant bills that we will be debating later on today that are causing the problem. All of the comprehensive anticrime bills, with the exception of the bill by the gentleman from Texas [Mr. WASHINGTON] imposes a death penalty for certain heinous crimes. That has been referred to subcommittee, and referred to a subcommittee with a strong opponent of the death penalty, so this House probably will not even vote on it. And I think it is fair to let the American people know how their representatives stand on this issue. The same is true about reforming habeas corpus laws so that people who are convicted cannot evade their sentencing by bouncing from one court to another in seemingly endless petitions for habeas corpus.

And what has happened to the violence against women proposal that has had such strong bipartisan support? It has been referred to subcommittee, and nobody knows when it is going to come out. The gentleman from Texas [Mr. BROOKS] refused to say when it would come out in response to questions asked just a few minutes ago by the

gentleman from Florida [Mr. MCCOLLUM].

The victims' rights proposals, they have gone to subcommittee, I guess to wait for Santa Claus to come down the chimney, because they will be sitting there at Christmas and New Years, and more victims will not be able to address the court when the sentence is imposed upon people who have committed crimes against them.

How about prison construction in regional prisons? Obviously we want to have the prison space to put people in jail and to keep them there, and to not have prison officials let violent criminals loose because there is not any jail space left, and that is what is happening all around the country. And we have not addressed the issue of revolving door prisons either. That has gone to subcommittee as well.

Now I think the American people expect better of their representatives in Congress, and I think it is a crime that the only thing that the Judiciary Committee could come up with, because some, including the chairman, would not work in a bipartisan manner, are five unfunded authorization bills.

But I do not think that all is lost, and I will be willing to make the chairman a deal, and that is that if he works with the Republicans on a bipartisan basis, we can come up with a crime bill that will achieve an overwhelming majority which deals with issues that we all are interested in, like constitutionalizing the death penalty and violence against women. That is the way to solve the crime problem, rather than attempt to repeat the partisan slam-dunk that caused the crime bill not to get to the President's desk last year.

Mr. Speaker, I reserve the balance of my time.

The SPEAKER pro tempore (Mr. MONTGOMERY). The gentleman from Wisconsin [Mr. SENSENBRENNER] has consumed 12 minutes. The gentleman from Texas [Mr. BROOKS] has 11 minutes remaining.

Mr. BROOKS. Mr. Speaker, I yield 5 minutes to the gentleman from New York [Mr. SCHUMER].

Mr. SCHUMER. Mr. Speaker, I yield to the gentleman from Texas.

Mr. BROOKS. Mr. Speaker, about a year ago the President said he wanted to have 100,000 cops on the beat. And I started looking at the numbers and figured it would cost an awful lot. The concept was excellent; the money was a little short. Even SENSENBRENNER did not have enough money to pay for that collected out of the pots from various little agencies.

So to resolve that difference, I sent the gentleman from New York [Mr. SCHUMER] down to deal with the administration and to talk to them about how we would fund 100,000 or a reasonable number of cops. He agreed and worked out an arrangement with them

that they would request authority for 50,000 cops, and that they would be able to pay for it. And that is what has been done. It is not unfunded. Mr. Panetta, chairman of the OMB, wrote us a letter which I read to the gentleman in the full committee. The gentleman from Wisconsin [Mr. SENSENBRENNER] is the only Member who did not vote for the bills. He says he is for cops on the beat, but he did not vote for it. On violence and on the death penalty, I do not know where Mr. SENSENBRENNER was when I was trying to get that bill passed over there. I did not see you helping.

But I will say that the OMB said very clearly on October 27 that the Office of Management and Budget has already budgeted sufficient funds in its Justice Department planning baseline to fund fully the community policing and public safety partnership. I believe the gentleman from Wisconsin had access to that. It is available in the committee.

Mr. Speaker, I submit that letter for the RECORD, as follows:

OFFICE OF MANAGEMENT AND BUDGET,

Washington, DC, October 27, 1993.

Hon. JACK BROOKS,

Committee on the Judiciary, House of Representatives, Washington, DC.

DEAR MR. CHAIRMAN: The Administration appreciates your prompt consideration of anti-crime legislation. As the President has expressed to you and other Members of the Congress, he would like to see the House and Senate pass crime legislation and the Brady Bill before the Congress adjourns. Crime and the fear of crime have become increasingly urgent concerns across America. It is time for us to act without delay.

Earlier this year, Congress and the Administration worked together to pass emergency 1993 supplemental appropriations that included \$150 million to help states and localities hire more police. Cities across America responded with great interest to this program. In the last four months, more than 1,000 police departments have applied to the Department of Justice for a program that provides for more than 2,000 new police. The Community Policing and Public Safety Partnerships introduced by you and Representative Schumer would authorize over six years (1994-99) \$3.4 billion more for the Department to expand programs to hire new police officers substantially.

The Office of Management and Budget has already budgeted sufficient funds in its Justice Department planning baseline to fund fully the Community Policing and Public Safety Partnerships. And yesterday, the President endorsed procurement reforms that could save more than \$5 billion in the first year alone. The President has asked Congress to pass these reforms and use some of the savings to fund additional anti-crime efforts. He underscored this commitment by saying:

"I want Congress to pass the crime bill and pass the savings I've asked to help pay for it. I want them to know that if these cuts aren't passed, I'm going to come back with more cuts. And if those aren't passed, I'll come back with still more. I'll keep coming back until we have the money we need to make America safer."

Mr. Chairman, the President strongly believes that there is an epidemic of violence

in this country that must be confronted. We commend your committee for responding quickly to this crisis.

Sincerely,

LEON E. PANETTA,
Director.

Mr. SCHUMER. Mr. Speaker, I want to talk in general about the bill and the provisions. The arguments of the gentleman from Wisconsin are really sophistry. He knows we do not appropriate on authorizing bills. He also knows that this President, unlike the past two Presidents, has struggled to find funding for this, and made a commitment that he would not put in a bill that did not find funding. And that is why there have been such fights with some of the more conservative Members of our side and the gentleman's side about taking \$3.4 billion out of the Gore initiatives that were to go to deficit reduction and funding them here. Everyone knows that. So let us not try to deceive the public, because they may not know what an authorization is versus an appropriation.

You know darn well, we all know darn well that you do not appropriate on an authorization bill. You should be criticizing an appropriation bill if it comes up without this funding.

Let me say, ladies and gentlemen, that these bills are not simply the tail on the dog, but they are the meat, the real part of the crime bill itself.

These bills are not controversial. Yes, it is true, everyone is for cops on the beat, and everyone is for drug treatment in prisons, mandatory treatment, and safe schools. But that does not make them any less important to our constituencies who are crying out, who are anguished about the crime on our streets.

Habeas corpus, we sit here in Washington and we debate the great constitutional issue of habeas corpus when we all know darn well that if every one of those prisoners are locked up, and if they sit on death row 5 years, or 8 years, or 9 years it does not affect the safety of our constituency.

The death penalty, we have had agreements. As the gentleman knows, I am for it. I believe it is appropriate in certain cases. But let us say that a cop on the beat or taking a prisoner out of prison and making sure that they do not commit another crime because they are drug-dependent is far more in line with what our constituents want and need, and keeping our schools safe. This was the meat of the crime bill last year. Our concern was because two issues, particularly habeas corpus, that arcane constitutional provision, bolted up the bill, that we would be doing our communities a disservice by letting these important bills go down. There was not a single Republican vote for the Brooks bill, not one. So if we put the death penalty in the bill we know that we did not have enough votes, because there are 70 or 80 Members on this side who would not vote for a death penalty bill.

There was hardly a vote, and so let us not say that it was the Democrats' fault or the Republicans' fault, but that we were running into the same logjam because of the tense and difficult ideological issues. And this chairman had the courage to say we are not going to do what we did last year, or 2 years ago, and have nothing done, but we are going to take the most important parts of the crime bill, albeit that they are not controversial, and move them separately.

□ 1340

And most important of all, what he has done will allow us to vote on the Brady bill next week as well. This provision is extremely important. We need the cops patrolling the beat.

Mr. Speaker, I urge my colleagues to pass this bill.

Mr. SENSENBRENNER. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, my friends on the other side of the aisle have a very short memory; last week at this time when the Speaker opened up the session of the Congress, he announced that he had signed the enrolled appropriation bill for the Justice Department and had sent it off to the President for his signature.

So the Justice Department's funding until September 30, 1994, has already been set by Congress.

It has already been set by Congress, and unless the Appropriations Committee comes up with a supplemental appropriation, there will not be one penny appropriated for cops on the beat until we deal with the budget for fiscal year 1995 next year in the Congress.

Second, if rescinding existing appropriations to fund cops on the beat was so important as the chairman and the OMB Director Panetta have said, where is their bill for the rescission? That bill has not come to the Congress yet. We are going to adjourn before Thanksgiving without acting on a rescission bill.

So there is not going to be the money to reallocate. So this is all a sham; it is passing a piece of paper that gives people the impression that there will be Federal funds for cops on the beat in some number when in fact the appropriations pattern until next September is already set.

Now, I just point out that you can combine an appropriation in an authorization bill, and both Mr. McCOLLUM and I have done so. His bill contains the 5 percent reduction in administrative expenses in executive agencies; less bureaucrats and more cops.

My bill uses the unobligated expenditures and a whole list of agencies that have been identified on a bipartisan basis, and uses that money, which is not going to be spent, to provide more cops.

Your bill does not provide one more cop, as the director of the Congressional Budget Office has said.

Mr. SCHUMER. Mr. Speaker, will the gentleman yield?

Mr. SENSENBRENNER. I yield to the gentleman from New York.

Mr. SCHUMER. I thank the gentleman for yielding to me.

Mr. Speaker, I first make the point that the rescission bill is here; the money will be there shortly.

Second, as everyone who has worked in this Chamber for a mere few months knows, and I know my colleague, who is an expert on legislative procedure, knows, we do not appropriate before we authorize. And as for the great Republican method of paying for the bill, the McCollum bill says, "Let's cut administrative expenses 5 percent across the board." Where? Which people are you going to cut?

Perhaps they should be cut. It is very easy—you want to talk about fooling the people—it is very easy to get up and say, "Let's cut administrative expenses," and this Chamber has done that for decades, and the administrative expenses are never cut.

I would argue to the gentleman—

Mr. SENSENBRENNER. If the gentleman would yield—

Mr. SCHUMER. It is the gentleman's time, but if I might just finish—

Mr. SENSENBRENNER. Are not the President and the First Lady attempting to cut administrative expenses in their health care reform bill to help pay for it?

Mr. SCHUMER. I would say to the gentleman that, again, until—and I have said this about the health care bill as well—

Mr. SENSENBRENNER. Reclaiming my time, the answer is "yes."

Mr. SCHUMER. Why did the gentleman ask me the question if he wants to answer it himself?

Mr. SENSENBRENNER. Reclaiming my time, I think the gentleman from New York is trying to sell us a bridge in Brooklyn. And according to the CBO, there is not any money to pay for it.

Mr. McCOLLUM. Mr. Speaker, will the gentleman yield?

Mr. SENSENBRENNER. I yield to the gentleman from Florida [Mr. McCOLLUM].

Mr. McCOLLUM. I thank the gentleman for yielding.

Mr. Speaker, my bill on the administrative overhead expenses is very specific. It says, "The overhead expenses identified and reduced by the President," already, "in Executive Order 12837 are hereby reduced by an additional 5 percent." So all we are doing is adding another 5 percent to the cut your President has already agreed to do. I think that is a priority that the American public would buy any time, any day, any place for more prisons.

Mr. BROOKS. Mr. Speaker, I yield 1½ minutes to the gentleman from Virginia [Mr. SCOTT], a distinguished member of the committee.

Mr. SCOTT. I thank the chairman for yielding this time to me.

Mr. Speaker, I would like to thank the chairman of the committee and the gentleman from New York [Mr. SCHUMER] for addressing crime prevention and not waiting for crimes to occur before they take action.

Mr. Speaker, H.R. 3355 will make funds available to place additional police on the streets. These would be officers assigned to communities policing divisions, many of whom will be walking the beats.

In my district, Mr. Speaker, a civic group joined forces with the Portsmouth, VA, Police Department to patrol their neighborhood. They brought about an 82 percent reduction in crime in that area.

Mr. Speaker, these are the types of initiatives that work, they reduce crime, and I encourage my colleagues to support this bill.

Mr. BROOKS. Mr. Speaker, I yield 1½ minutes to the gentleman from Connecticut [Ms. DELAULO].

Ms. DELAULO. I thank the gentleman for yielding this time to me.

Mr. Speaker, people's faith in government begins with their confidence that government can ensure their safety. And let me tell you, that confidence is rapidly slipping. Record number of guns are on the street. Record numbers of drugs are on the street. But cutbacks in Federal aid to cities over the past 12 years have created tremendous financial pressures on cities and hampered their ability to provide for the public's safety.

Mr. Speaker, I have walked the streets of my district with the cops who are on that beat. On Monday I talked to seventh grade children whose parents will not let them play outside because they are afraid they could be killed. These kids normally do not obey their parents, but these kids do what their parents tell them because they are scared.

The children tell of going to bed at night to the sound of gunfire. This has got to stop. Fear of death should not govern childhood. Gunfire is not an acceptable lullaby. Putting more police on the street is a critical first step to returning our neighborhoods to the people who live there. I have seen the effects of community policing—its ability to restore public confidence and safety. This is not a new idea. It is something that we did 30 years ago. And it is time to renew our commitment to it.

That is what this bill does. It restores the Federal commitment to helping provide for public safety. It will fund hiring of 50,000 more local police officers. And it will put cops back on the street where they do the most good.

I urge my colleagues to support this bill, and to help our children and their parents live in safety, not in fear.

Mr. SENSENBRENNER. Mr. Speaker, I yield 2½ minutes to the distinguished gentleman from Illinois [Mr. HYDE].

Mr. HYDE. I thank the gentleman for yielding this time to me.

Mr. Speaker, I cannot help but notice that that splendid 10-gallon hat over on the table of the Democratic side. I wonder if we are going to have a lottery and perhaps pull out the names of the cities that will be so fortunate as to get these policemen. I think they could be used up in New York, Chicago, San Francisco, and the District of Columbia. I would like to think that other municipalities might have access to them, if the larger cities don't exhaust their numbers.

Let me also say that looking at that splendid chapeau reminds me of that well-known saying that, "This is all hat and no cattle," because we are nibbling around the edges of a major problem that causes anxieties throughout the country, crime, and we have these five nice little minimalist bills that will not bring any criminals to their knees.

We are witnessing firsthand what can only gently be called Democrat disarray in their failed efforts to launch major crime legislation.

It is a shame, and I know the chairman has tried his best, that the various factions of the Democratic Party are so centrifugally directed that they cannot effectively come to grips with this important problem.

□ 1350

What we are seeing is gridlock as an intramural, not necessarily an inter-party phenomenon.

Now, Republicans stand ready to cast votes with any and all factions of the Majority Party who might just want a strong efficacious crime bill, a crime bill that sets clear and unmistakable policies that unlawful behavior which endangers the property, the health and the lives of law-abiding citizens, will not be tolerated.

We are looking for crime legislation that deals with the major issues, the death penalty, mandatory minimum sentences, habeas corpus reform, exclusionary rule reform, public corruption, and the construction of new prisons.

These unfunded feel-good peripheral measures being considered today are a major disappointment to the people of the United States who have a right to demand leadership from this Congress.

When I contemplate the size and the dimension of the crime problem in our cities and I look at these marginal little bills, I can only think of the words of the immortal Peggy Lee, "Is that all there is?"

Mr. BROOKS. Mr. Speaker, I yield 1 minute to the gentleman from Oregon [Ms. FURSE].

Ms. FURSE. Mr. Speaker, there is an African saying that it takes the whole village to raise a child. We can expand that sentiment to say that it takes the whole community to protect the community.

This bill seeks to support community policing it both rural and urban communities.

No police force no matter how large or well funded can make a community safe without the cooperation of the community members. We must involve those most effected by the problem of crime to solve the crime problem.

I congratulate the committee for seeing the benefit to community policing and providing the necessary tools to do the job right. But it is not enough to just provide money and then expect the police to do the rest. Communities, and that means all of us, must join the police in weaving a seamless web of concern. Only then will our streets become safe again and our business areas profitable.

Our police deserve the best training and equipment available. We must spend what is needed, the cold war is over, it is time to realize that true national security must be achieved at home.

The police chiefs and sheriffs of the First District of Oregon are united in their support of the community policing. I join them in that support.

Mr. BROOKS. Mr. Speaker, I yield 1 minute to the gentleman from New York [Mr. NADLER], a distinguished member of the full committee.

Mr. NADLER. Mr. Speaker, I congratulate both the chairman of the committee and the chairman of the subcommittee for bringing these bills to the floor today as separate bills.

After a lot of time of talk, but no action, we are providing hundreds of millions of dollars for alternative punishments, to provide certainty of punishment for young offenders. We are providing money for substance abuse treatment for Federal prisoners and for State prisoners, when we know that up to 80 percent of our crimes are drug related.

We are providing over \$3 billion to hire 50,000 more police officers for community police, very specific, real actions that will lower crime in our communities.

There are some controversial subjects that have been put off from this bill. The death penalty will be in another bill that will be here shortly.

Habeas corpus I feel very strongly about.

So without any Republican votes for a bill that dealt with those subjects, we could not get a bill like that. So what the committee has done is to separate out very specific provisions that can deal with crime that we can pass now. We will have the death penalty, which I will vote against and the House will pass next week, and we will pass some

real intelligent affirmative actions to deal with crime.

Mr. Speaker, I thank the committee chairman for yielding me this time.

Mr. SENSENBRENNER. Mr. Speaker, I yield myself the balance of the time.

The gentleman from New York [Mr. NADLER] was not here last year. There are Republicans who are able and willing to vote for it. The gentleman from Minnesota [Mr. RAMSTAD] is one of them; but the gentleman from New York also has not been listening to this debate.

The gentleman says we are providing all this money. None of these bills provides a dime. It is wait until next year while our streets are red in blood until Congress gets around to the fiscal year 1995 appropriations, or some rescission bill that is in the bowels of the Office of Management and Budget.

So let us be real in what we are not doing here.

Mr. BROOKS. Mr. Speaker, I yield 1 minute to the distinguished gentleman from Oklahoma [Mr. SYNAR], an outstanding member of the Committee on the Judiciary.

Mr. SYNAR. First of all, Mr. Speaker, let me commend both the gentleman from New York [Mr. SCHUMER] and the gentleman from Texas [Mr. BROOKS] for this excellent piece of legislation.

Today the House considers five bills that will provide vital Federal assistance in the war on crime. It is critical that we move quickly to pass this legislation, so Congress can respond to the violent crime that threatens to overwhelm the peace-loving citizens of our Nation.

I, like others, am disappointed that we are not considering H.R. 3131, the comprehensive crime package introduced last month Judiciary Committee Chairman BROOKS. That legislation encompasses many issues, such as habeas corpus reform, the Brady bill and Federal death penalties, that must be addressed during this Congress. Failure to resolve these issues will ultimately weaken the response we make to crime in our country. I fully understand, however, the necessity to move forward on the critical funding programs before us today while Members on both sides of the aisle have time to further study some of the more contentious crime issues in H.R. 3131.

While I appreciate the time Members need for further study, one issue—the Brady bill waiting period legislation—must not be delayed any longer. This legislation has been before Congress for more than 6 years. In the time that this bill has been before Congress, 150,000 men, women, and children have lost their lives in handgun fire. Further delay means more needless deaths. I am encouraged to learn that Chairman BROOKS plans to move quickly on the Brady bill and I strongly support

the goal of having the Brady bill on the President's desk before the end of the first session.

Today's funding bills will make a real and immediate impact on crime in America. Among other things, the legislation before us will put more cops on the beat in our communities, provide funding for safe schools, grant States the resources to attack the growth of youth gangs, provide substance abuse treatment for prisoners in order to prevent repeat crime and provide funding for boot camps, community service programs and other innovative alternatives to incarceration.

I am especially interested in making sure that the Federal funding in these bills, particularly in the "cops on the beat" bill, is administered in a manner that ensures money is distributed to those areas of the country that may have the largest problems but may not necessarily have the largest populations.

Crime happens in small towns and rural areas too, and it often occurs in greater proportion than in more populated regions. I am appreciative of the efforts and cooperation by Chairman BROOKS, Crime Subcommittee Chairman SCHUMER, Mr. HUGHES, and others on the Judiciary Committee who have worked with me to make sure all regions of our country are well-served by this legislation.

I urge all Members to vote for these bills so we can get on with the business of fighting crime. While crime does not pay, it also does not wait.

Mr. LEVIN. Mr. Speaker, the five anticrime measures that are before us today constitute an important step in the war on crime. I support these five anticrime measures which will put more cops on beat patrol; establish effective, alternative punishment programs for young offenders like boot camp, shock incarceration and community service; provide alternative activities for youth so they do not join gangs; and provide drug treatment to prisoners so that once released they do not return to a life of crime because they are drug dependent.

It is imperative that we help stem the surge of crime and violence that is sweeping the Nation and robbing all of us of our fundamental sense of security. We, as legislators, have a duty to protect this right to live without fear.

Clearly, Mr. Speaker, there are other troubling problems we must address. For example, a large number of crimes are committed by a relatively small number of career criminals. We must also recognize that hard-pressed States and localities need additional resources to keep incarcerated those violent criminals who have been lawfully apprehended, prosecuted, and convicted. I hope this Congress will debate and enact measures that address further these underlying problems.

Mr. COYNE. Mr. Speaker, I support H.R. 3355, the Community Policing Act, a bill that will help to put more cops on the beat in communities across our Nation. This bill responds to the demands of local governments who

know that putting more police on the streets is one of the best ways available to combat crime.

Today the House has an opportunity to help American communities by providing grants to fund up to 50,000 police officers. Enacting this bill offers a practical and common sense approach to combating crime. More police on the streets offers an increased deterrent against criminal activity and improves the chances of a criminal being caught when a crime is committed.

This bill authorizes a total of \$3.45 billion in Federal grants for community policing programs through fiscal 1999. In the first year of this program, fiscal year 1994, a total of \$200 million would be authorized, and \$650 million is authorized in each of fiscal years 1995 through 1999. Up to 60 percent of the grants would be available each fiscal year for State applications on behalf of local governments, with the remaining 40 percent reserved for applications made directly to the Justice Department by municipalities with populations above 100,000.

This level of funding authorization will support the hiring of additional police officers in communities across our Nation. Local law enforcement agencies will be helped in their efforts to serve and protect our fellow citizens from the scourge of criminal activity in our streets. Grants provided as a result of this bill can be used to hire and train new law enforcement officers for community-policing, and to rehire police who have been laid off. Local law enforcement agencies will be able to use these funds to increase the level of crime prevention programs in the community. In addition, police departments will be able to use these funds to reduce the amount of time officers spend on administrative or judicial functions in order to increase the availability of officers for duty out on the streets of local neighborhoods.

The House has already expressed its support for funding community policing programs. Last year, the House approved provisions similar to H.R. 3555 as part of H.R. 3371, the Omnibus Crime Control Act of 1992. I voted for that bill which unfortunately died in the Senate as a result of filibuster by a minority of U.S. Senators. I commend the House Judiciary Committee for bringing this bill to the floor today so that we can move forward once again on this issue.

Mr. Speaker, the House should pass the Community Policing Act. I urge my colleagues to vote in favor of this legislation which will help to make our streets safer for our fellow Americans.

Mr. FAZIO. Mr. Speaker, I rise in strong support of H.R. 3355, H.R. 3351, H.R. 3353, H.R. 3354 and H.R. 3350—the five measures that make up the anticrime package. These bills will give us real ways to keep drugs and crime out of our homes, our neighborhoods and our communities.

This anticrime package will provide cities and towns across the country with the means to put up to 50,000 more police officers on the streets over the next 5 years. There are also resources to develop crime prevention policies and programs, and to address the special crime, drug and alcohol problems that exist in communities on our international borders and

in our port cities and towns. To reduce the number of repeat offenders, the package also provides drug treatment for those inmates at Federal and State prisons who need it.

We will also be able to respond to the unique problems associated with youthful offenders. We can place them in boot camps, set up week-end incarceration programs and require them to reimburse their victims and serve in their communities. We will be able to tackle the sale and use of illegal drugs by juveniles, as well as gang activity, and replace this kind of antisocial behavior with lawful, constructive ventures like club activities, programs involving sports figures as mentors, and drug treatment programs for youth who are in the juvenile justice system.

Because crime is growing faster in rural America than it is in our suburbs and cities, the anticrime package provides for fair distribution of its resources to all areas of the country. For example, half of the increase in community policing—more cops on the beat—goes to cities and towns with fewer than 100,000 people. The anticrime package will enable rural America to meet the challenge of rapidly escalating crime.

The anticrime package will beef up local crime fighting efforts. It will put more police officers on the beat. It will help the local police officers who are on the front lines fighting crime every day. It will send young criminals to boot camps where they can learn the value of hard work and community service, and to be responsible to their victims for the pain they inflict. It will get our kids off drugs and out of gangs, and keep them there.

If we are going to reclaim our streets and neighborhoods, we must equip our communities with the tools they need to put teeth in the saying that "crime does not pay." We need to get tough on crime, and we need to get tough on crime prevention.

If we are truly sick of just talking about this issue, Chairman Brooks and the Judiciary Committee have given us an opportunity to begin doing something about it. We can act here and now by passing this package and delivering much-needed assistance to the neighborhoods and communities across America that are being plagued by crime. I, wholeheartedly, urge my colleagues to support this initiative.

Mr. WISE. Mr. Speaker, today we are voting on H.R. 3355, the Community Policing Act. At a time when we are faced with increased violence and drug use, a bill that puts 50,000 more local police on the streets is what we need. In my State we have seen Larry Hacker, a State trooper, killed in the line of duty and Sgt. James Flickinger, of Charles Town, saved only by the bullet-proof vest he was wearing. Additional cops on the beat may help to prevent scenes like these from recurring.

These grants to State and local governments would be used to rehire police who have been laid off, and to hire and train new law enforcement officers for community-oriented policing. For the people of West Virginia this could mean over \$4 million in additional crime prevention. While West Virginia has the lowest violent crime rate in the country this does not mean that we don't have to pay attention to prevention. I firmly believe that the crime that you prevent is better than the crime that becomes a statistic.

Ms. WOOLSEY. Madam Speaker, I rise today in strong support of the five anticrime measures being considered today by the House of Representatives. As the people of Sonoma and Marin Counties know, crime is on the rise—spreading into communities which have previously been sheltered from the violence which pervades our Nation.

One month ago, Polly Klass, a 12-year-old girl, was kidnapped at knifepoint from her home in Petaluma, CA, while her mother slept in a nearby room. In the past week, armed teenagers robbed two people after breaking into their homes in Santa Rosa and Windsor, and there have been drive-by shootings in Rohnert Park, Santa Rosa, and Healdsburg. In Tiburon, CA, a doctor was the victim of a mail bombing. A Marin City man was killed in an armed robbery attempt, the fourth sibling to die in a family of five. Marin and Sonoma County residents, and people throughout the country, are rising up and demanding that something be done about the rash of violence. We who represent them in Washington must respond now.

Today, we are considering crime measures which will place us on the path toward a solution to this crisis: Local governments will have funds to put 50,000 more police officers on the street; new programs such as boot camps, weekend incarceration, and community service will be developed to address young offenders; and finally, programs will be implemented to reduce drug-related gang activities.

As I have stated, Madam Speaker, I am in strong support of these programs, but they are only the beginning of what we can do to attack the crime problem head-on. Sal Rosano, the police chief of Santa Rosa, recently blamed much of the increase in violence in our neighborhoods on the fact that anyone can get a gun. He said that 10 or 15 years ago, a Santa Rosa police officer rarely found someone carrying a gun. Now, police in Santa Rosa find someone carrying a gun almost every day. So while I urge my colleagues to support the measures before them today, I urge them even more strongly to enact meaningful gun control legislation now, and get guns out of the hands of criminals.

The SPEAKER pro tempore (Mr. MONTGOMERY). The question is on the motion offered by the gentleman from Texas [Mr. BROOKS] that the House suspend the rules and pass the bill, H.R. 3355, as amended.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the bill, as amended, was passed.

ESTABLISHING A PROGRAM OF RESIDENTIAL SUBSTANCE ABUSE TREATMENT WITHIN FEDERAL PRISONS

Mr. BROOKS. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 3350) to establish a program of residential substance abuse treatment within Federal prisons as amended.

The Clerk read as follows:

H.R. 3350

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SUBSTANCE ABUSE TREATMENT IN FEDERAL PRISONS.

Section 3621 of title 18, United States Code, is amended—

- (1) in the last sentence of subsection (b), by striking "to the extent practicable,"; and
- (2) by adding at the end the following new subsection:

"(e) SUBSTANCE ABUSE TREATMENT.—

"(1) PHASE-IN.—In order to carry out the requirement of the last sentence of subsection (b) of this section, that every prisoner with a substance abuse problem have the opportunity to participate in appropriate substance abuse treatment, the Bureau of Prisons shall provide substance abuse treatment—

"(A) for not less than 50 percent of eligible prisoners by the end of fiscal year 1995, with priority for such treatment accorded based on an eligible prisoner's proximity to release date;

"(B) for not less than 75 percent of eligible prisoners by the end of fiscal year 1996, with priority for such treatment accorded based on an eligible prisoner's proximity to release date; and

"(C) for all eligible prisoners by the end of fiscal year 1997 and thereafter, with priority for such treatment accorded based on an eligible prisoner's proximity to release date.

"(2) INCENTIVE FOR PRISONERS' SUCCESSFUL COMPLETION OF TREATMENT PROGRAM.—

"(A) GENERALLY.—Any prisoner who, in the judgment of the Director of the Bureau of Prisons, has successfully completed a program of residential substance abuse treatment provided under paragraph (1) of this subsection, shall remain in the custody of the Bureau for such time (as limited by subparagraph (B) of this paragraph) and under such conditions, as the Bureau deems appropriate. If the conditions of confinement are different from those the prisoner would have experienced absent the successful completion of the treatment, the Bureau shall periodically test the prisoner for substance abuse and discontinue such conditions on determining that substance abuse has recurred.

"(B) PERIOD OF CUSTODY.—The period the prisoner remains in custody after successfully completing a treatment program shall not exceed the prison term the law would otherwise require such prisoner to serve, but may not be less than such term minus one year.

"(3) REPORT.—The Bureau of Prisons shall transmit to the Committees on the Judiciary of the Senate and the House of Representatives on January 1, 1995, and on January 1 of each year thereafter, a report. Such report shall contain—

"(A) a detailed quantitative and qualitative description of each substance abuse treatment program, residential or not, operated by the Bureau;

"(B) a full explanation of how eligibility for such programs is determined, with complete information on what proportion of prisoners with substance abuse problems are eligible; and

"(C) a complete statement of to what extent the Bureau has achieved compliance with the requirements of this title.

"(4) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated in each fiscal year such sums as may be necessary to carry out this subsection.

"(5) DEFINITIONS.—As used in this subsection—

"(A) the term 'residential substance abuse treatment' means a course of individual and group activities, lasting between 6 and 12 months, in residential treatment facilities set forth from the general prison population—

"(1) directed at the substance abuse problems of the prisoner; and

"(ii) intended to develop the prisoner's cognitive, behavioral, social, vocational, and other skills so as to solve the prisoner's substance abuse and related problems; and

"(B) the term 'eligible prisoner' means a prisoner who is—

"(i) determined by the Bureau of Prisons to have a substance abuse problem; and

"(ii) willing to participate in a residential substance abuse treatment program."

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Texas [Mr. BROOKS] will be recognized for 20 minutes, and the gentleman from Wisconsin [Mr. SENSENBRENNER] will be recognized for 20 minutes.

The Chair recognizes the gentleman from Texas [Mr. BROOKS].

Mr. BROOKS. Mr. Speaker, I yield myself such time as I may require.

Mr. Speaker, I rise in support of H.R. 3350, which passed the Committee on the Judiciary by a vote of 34 to 1.

H.R. 3350 requires the Federal Bureau of Prisons to establish a 4-year schedule to place all eligible prisoners into residential substance abuse treatment programs. Eligible prisoners are defined as those with substance abuse problems who are willing to participate in the program.

Studies have repeatedly shown that recidivism rates fall dramatically when prisoners with drug problems get the drug treatment they need to break their addictions before they get back on the streets.

We all know that a great deal of crime is committed to feed drug addictions. This substance abuse treatment program—by decreasing drug and other substance dependencies—should lead to a corresponding decrease in the levels of crime.

Mr. Speaker, the President and the Attorney General have recognized—indeed, have emphasized—the great importance of such programs. I am informed that the Federal Bureau of Prisons supports the program as well. It is high time that we break the destructive cycle of drug addiction and crimes of violence so that we can have a safer and more secure America for all our people. The money authorized for this Federal program will be money well spent, and I urge my colleagues to support H.R. 3350.

Mr. Speaker, this is an authorization coming out of the Committee on the Judiciary, which is an authorizing committee. We do not appropriate the money. I would be delighted if you would give me that authority as well, but that is not going to be likely, so this is an authorization only, and unless you want to pay for it yourselves, it will have to be done by the Appropriations Committee, and I trust that they will.

Mr. SENSENBRENNER. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, this is the least controversial of the bills relating to crime

that will be before us this afternoon. Let me assure the gentleman from Texas [Mr. BROOKS] that this bill has my wholehearted support, because in my opinion the authorization contained in here can very easily be absorbed in the Bureau of Prison's appropriation that has already been passed.

What this bill does is that it requires on a phased-in basis that Federal prisoners be given drug treatment and detoxification in the period of time immediately prior to their release from prison on the grounds that if they have taken the treatment program and have been detoxified, they will be less likely to engage in a life of crime upon release, because they will not have to go and attempt to steal the money in an attempt to feed a drug habit.

□ 1400

I think that this is a very worthwhile proposal, and it is one that is directly designed to get into one of the biggest problems in our criminal justice system, and that is the revolving prison door where people who have been convicted and sentenced to prison for the commission of violent crimes end up coming out of prison committing another violent crime, and they go right back in. So, I think that this legislation is a step in the right direction to take away one of the incentives to go back to a life of crime, and that is to rob and kill in order to get money to feed a drug habit, and I hope that this legislation passes.

Mr. HYDE. Mr. Speaker, will the gentleman yield?

Mr. SENSENBRENNER. I yield to the gentleman from Illinois.

Mr. HYDE. Mr. Speaker, I thank the gentleman from Wisconsin [Mr. SENSENBRENNER] for yielding, and I just have a question about this bill.

As I read lines 10 through 13 on page 3, Mr. Speaker, it seems to me that one can get their prison sentence reduced. The possibility exists that, if one successfully completes this program, which is fine, that the carrot evidently in front of one's nose is that they can get their prison term reduced up to a year.

Is that correct?

Mr. SENSENBRENNER. That is what is stated in the bill, but that is in the discretion of the Bureau of Prisons on whether or not the prisoner's term ought to be reduced upon completion of the program.

Mr. HYDE. Well, it just seems to me, if the gentleman would continue to yield, that it is an inducement that may well draw a false application from people seeking the opportunity to get their time reduced. All of these addictions require a strong effort of will to want to recover, whether it is alcoholism or whether it is drugs, and if the motive for getting in the program is to get their sentences reduced, I think we may be spending some money in a rather hollow, empty, unproductive way.

Mr. Speaker, I wish this part of the legislation were not in here so that this really would just confine itself to providing treatment for substance abuse.

Mr. SENSENBRENNER. If I had my druthers, I would not have this provision in the bill either, but, as the gentleman from Illinois is aware, the procedures under which the chairman of the committee, the gentleman from Texas [Mr. BROOKS], is bringing the bill up on the floor does not allow an amendment to strike this provision out. I believe that, if this issue ever gets into a conference committee, there should be a major effort to strike the provision out.

Mr. HYDE. However the gentleman from Wisconsin still thinks this is worth passing, that the good in this bill outweighs the questionable provision of getting sentences shortened.

Mr. SENSENBRENNER. I do.

Mr. HYDE. Mr. Speaker, I thank the gentleman from Wisconsin.

Mr. SENSENBRENNER. Mr. Speaker, I yield 5 minutes to the gentleman from Minnesota [Mr. RAMSTAD].

Mr. RAMSTAD. Mr. Speaker, I thank the gentleman from Wisconsin [Mr. SENSENBRENNER] for yielding this time to me.

Mr. Speaker, I rise to express my deep disappointment that those controlling the Committee on the Judiciary cannot even pass out the major anticrime bill. They have a 21 to 14 majority on the committee. I told the chairman my vote was there to move a major, comprehensive, anticrime bill. Nonetheless, what we have today, merely these wish list grant programs, rather than a comprehensive bill that balances prevention and punishment, these bills are at best, including the one before us that we are debating at present, merely is a small part of the solution. We need to effectively respond to the violent crime plaguing our streets in a comprehensive, pragmatic way. We need more than what is before this body today. I believe, by passing these bills today, we risk sending a message that they alone are an adequate answer to our Nation's violent crime problem.

Mr. Speaker, yesterday's election results made it abundantly clear the American people are fed up with crime and violence. They want strong anticrime measures for a change. They are fed up with liberal policies that coddle criminals, and they are fed up with politicians who come here finding excuses for criminals.

Nowhere was the public's anger toward violent crime more evident than in the State of Washington where by a three to one margin citizens voted to lock up three-time violent offenders for life. "Three strikes and you're out." Three violent felonies, and the voters of Washington said they will throw away the key. This landslide support

for tough sentencing should wake up the Members of this body. Clearly law-abiding Americans have lost patience for those violent criminals who commit not one, not two, but three violent felonies, and, if the Committee on the Judiciary had acted more responsibly, I was prepared to offer the three-time-loser amendment to Federal law. But today our hands are tied. We have no opportunity to craft a crime bill with the death sentence, more prison space and habeas corpus reform.

Mr. Speaker, just last week a 21-year-old student in my district was brutally bludgeoned to death at a sandwich shop where he worked trying to earn money so he could go to college and marry. He had just been given a second chance at life this past summer when he had a brain tumor removed, and he was recovering from that surgery. It was his fiancée who found him lying in a pool of blood near a garbage dumpster beaten beyond recognition, beyond even his fiancée's.

Mr. Speaker, the savages who committed this heinous deed have sacrificed their right to live in a civil society, and they deserve the death penalty. This body does not have that provision before it. There is no comprehensive crime bill because of the failure of the Committee on the Judiciary.

I think that playing politics with crime is a disgrace to the American people. Americans are fed up with picking up the newspapers day after day to read about another drug related killing, another brutal sexual assault, another innocent child's life snuffed out by a stray bullet.

But where are the violence-against-women provisions that the gentlewoman from Colorado [Mrs. SCHROEDER] worked so hard on and that she reached out to our side, and I was working with her, and the gentlewoman from New York [Ms. MOLINARI] and the gentleman from Florida [Mr. MCCOLLUM] to try to craft and amend onto the omnibus crime bill? We do not even have a chance to vote on those violence-against-women provisions, and believe me, the women of America deserve action on that legislation.

Mr. Speaker, the American people are truly fed up with the excuses from politicians that we do not have enough prison space. The cops are sick and tired of the criminal justice system where the average violent felon serves only 37 percent of his or her sentence, 37 percent because the politicians tell them that there is not enough prison space. Congress does not have the regional prison provisions to consider today because there is no comprehensive crime bill.

Mr. Speaker, we truly need to put politics aside in this body. We need to take off our Republican hats and our Democrat hats and deal in a bipartisan way to address this crime problem.

This is a serious problem, and the people of America deserve nothing less. They are sick and tired of the partisan politics, the name calling, the finger pointing, and the crime issue is an issue that deserve better. Only passage of a comprehensive anticrime bill, one that balances punishment and prevention, will truly respond to our Nation's crime problem. This bill before us presently for more drug treatment provisions is a small step in the right direction.

The SPEAKER pro tempore (Mr. MONTGOMERY). The time of the gentleman from Minnesota [Mr. RAMSTAD] has expired.

Mr. SENSENBRENNER. I yield 1 additional minute to the gentleman from Minnesota, and I ask him to yield for a question.

Mr. RAMSTAD. Mr. Speaker, I yield to the gentleman from Wisconsin.

Mr. SENSENBRENNER. During the last Congress the gentleman worked quite hard to include in the crime bill a national registry of child sexual abusers as a result of the tragic kidnapping and disappearance of Jacob Wetterly who is a constituent of his. What has happened to that idea in this debate?

Mr. RAMSTAD. Because of the inability of the committee to move a comprehensive crime bill, the Jacob Wetterly provision is not before this body. We do not have a chance to protect children through that long overdue national registration system of convicted child sex offenders.

Mr. SENSENBRENNER. In other words, the Jacob Wetterly provision, that has been referred to subcommittee, too.

Mr. RAMSTAD. It has been referred to subcommittee, and I will give the chairman of the subcommittee credit because he has assured me, the gentleman from New York [Mr. SCHUMER] has assured me, that the subcommittee will act on that bill separately prior to the end of the year.

Mr. SENSENBRENNER. Mr. Speaker, I thank the gentleman from Minnesota.

Mr. BROOKS. Mr. Speaker, I yield such time as she may consume to the gentlewoman from Florida [Mrs. MEEK].

Mrs. MEEK. Mr. Speaker and Members of this august body, I sat here and listened to the debate regarding this crime package, and I would like to go on record as saying that any part of a crime package will be heralded by the people in this country, by the American public.

□ 1410

I come from a district where little Peaches was killed by someone spraying for someone else. I come from an area where children cannot play on the playground. I come from an area and I work here in an area where children

plan for their own funerals before they are 12 years old.

Can we afford to wait until we get a comprehensive package of a package that meets all the needs of each of us? I say that is fine when we get it, but we must start somewhere.

I want to commend the Committee on the Judiciary. I want to commend the chairman, the gentleman from Texas [Mr. BROOKS], for having taken the first step and not waiting for more children to be killed and for more drug abusers to be on the street.

Yes, I am in favor of drug treatment for prisoners because I know recidivism is based on the fact that once they get out, they go back to their drug habits if they are not treated. We need treatment for drugs. We need it in prisons as well as in other segments of the public.

We can sit here all day long and debate this question, but the American public cannot wait until we do that. Yes, it must be authorized first. We all understand the process. This committee has authorized it, and now the Appropriations Committee must look for the money to fund it. We know the process. I say, stick to it, try to save the people, and stop worrying about procedural matters that delay this fight against crime.

We need more cops on the street. If you do not believe that, I ask you to follow me for 1 day, maybe not in your district but follow me in mine from day to day.

We cannot afford to lose any more lives because we are looking at how our package looks, to say that it is all proliferated. It is not proliferated; it is focused, and if everyone will look at what is happening in this country, they will understand.

Mr. Speaker, let us get at it a little bit at a time. If the chairman cannot pass it, then we should tie this package a little bit at a time. I say, let us get at it, Mr. Speaker.

Mr. BROOKS. Mr. Speaker, I yield 4 minutes to the distinguished gentleman from New Jersey [Mr. HUGHES], chairman of the subcommittee.

Mr. HUGHES. Mr. Speaker, I have listened to a lot of Fourth of July speeches today about not having a comprehensive crime control bill from some of the Members who have seen comprehensive crime control bills go down the tube over controversial issues.

We did not have a comprehensive crime control act last year, for the simple reason that there were a number of controversial provisions, including habeas corpus, that sunk the entire package, so we ended up with nothing. I remember, because I chaired the Subcommittee on Crime back in the early 1980's when we had a very lovely comprehensive crime-control bill that again was sunk because the Senate tacked on some controversial provisions and the whole bill went down the

tube and we did not end with the drug czar at that point or product tampering or a modification of the arson statute and a whole host of other issues that were in that crime-control bill. Frankly, I was surprised that the chairman went as far as he did in trying to keep it together. Nobody worked any harder than the gentleman from Texas [Mr. BROOKS], the chairman of the committee, did in trying to keep the bill intact. Frankly, I marveled at the fact that he did not send it to the various subcommittees, take out the controversial provisions, and pass what we could when we could and then have the subcommittees work their will, which incidentally, I say to my colleagues who know this very well, is the process around here. We always send them to subcommittee and let the subcommittees work their will, and they do.

We are debating some provisions that strengthen the residential substance abuse treatment program. Is anybody opposed to that here today? Does anybody believe we should not be treating inmates who have substance abuse problems when they are in jail? If they do, stand up. Is there anybody?

Mr. HYDE. Yes.

Mr. HUGHES. The gentleman does not think we should treat people who have drug problems for their problems when they are in prison?

Mr. HYDE. Yes, I think we should, but we should not and then give them a year off—

Mr. HUGHES. Mr. Speaker, I reclaim my time. I thought the gentleman opposed that concept.

Mr. HUGHES. Part of the problem is, I say to my colleagues who are making all these speeches today—and they know this—that the difficulty is we have people coming into the system today with mental problems, psychiatric problems, and psychological problems who have no skills, no education, and who have drug problems, and we turn them out without skills, without education, and with the same drug problems and the same mental and psychiatric problems they had before. So it is no wonder that they are back in 5 or 6 months.

We need to get smart, and this is one component that I happen to support very strongly, because I believe we have to do a better job of dealing with the problems of inmates when they are in the system. It is disgraceful that almost a third of the inmate population are beyond our reach. We have some 80,000 in the Federal system who have drug problems, and we can only reach 35,000 of them. These are people that we are often cutting loose with drug problems to go back into society when they have served their sentences, and they go back with the very same problems they came into the system with. So it should not be any wonder that we bust them again in 5 or 6 months for

the very same property crimes they committed before they went to prison for drug-related offenses. I say, come on. What we are doing is strengthening it, and this is a good initiative.

I salute the chairman of the Crime and Criminal Justice Subcommittee for these strengthening provisions. They deserve the overwhelming support of the House.

I, too, support a lot of the other initiatives my colleagues on the other side of the aisle support in the comprehensive crime control bill, and I am going to work with them to try to pass those provisions when they are before the House. Today we are talking about this one component.

Mr. Speaker, this is a good bill. I urge my colleagues to support it.

The SPEAKER pro tempore (Mr. MONTGOMERY). The Chair wishes to state that the gentleman from Texas [Mr. BROOKS] has 12 minutes remaining, and the gentleman from Wisconsin [Mr. SENSENBRENNER] has 10 minutes remaining.

Mr. SENSENBRENNER. Mr. Speaker, I yield myself 1 minute.

Mr. Speaker, the Congress has been in session since January 5, and there was plenty of time for the committee and the subcommittees of the Committee on the Judiciary to hold hearings and to reach conclusions on controversial issues like the death penalty, habeas corpus reform, violence against women, victims' rights, and prison construction. Today we have been in session just 2 days short of 10 months, and none of these committees has taken action on any of these issues.

We Republicans have no say whatsoever about the scheduling of committee and subcommittee sessions. That is the prerogative of the majority party, and their failure to complete legislative action on issues such as this is one of the reasons why we have this problem today where we are passing five relatively minor bills in terms of the whole concept of anticrime legislation and saying that we should wait until next year to handle the major bills.

Mr. Speaker, I yield 5 minutes to the gentleman from New Mexico [Mr. SCHIFF].

Mr. HUGHES. Mr. Speaker, will the gentleman yield to me just briefly?

Mr. SCHIFF. I yield to the gentleman from New Jersey.

Mr. HUGHES. Mr. Speaker, the fact of the matter is that these provisions were not sent to the subcommittees because this chairman believed he could keep it intact and take it up in full committee. I thought it was wonderful if he could or if he thought he could do that. I never thought he could do it even though he is a great Member of Congress and a distinguished chairman. I thought it was taxing everybody's credibility to believe that he could keep it together in one piece, and it turned out that he could not.

Mr. Speaker, I thank the gentleman for yielding.

Mr. SCHIFF. Mr. Speaker, I thank the gentleman from Wisconsin [Mr. SENSENBRENNER] for yielding me this time.

Mr. Speaker, I wish to rise in favor of H.R. 3350, although with the modification suggested by the gentleman from Illinois. We already offer in the Federal system good-time credit of up to 15 percent off a sentence. Why not make that a requirement of earning that 15 percent instead of giving more time off the sentence?

Mr. Speaker, I would like to comment on the discussions that have been going back and forth thus far about the crime bill. First of all, I would point out that H.R. 3350, like the last bill, is an authorization, not an appropriation. Like the last bill, unless the money is found to implement it, it is just a piece of paper, and it is an illusion on the American people that we are doing something on the basis of attacking crime.

I want to join in the disappointment that has been expressed that we are not taking more action this year in the fight against crime. The fact of the matter is that for whatever reason we have spent the entire year of 1993 watching the carnage all around us in this country, and the majority has not brought forth anything stronger than the bills that are before us today.

□ 1420

I want to express my personal disappointment, because I think we could have taken far more action in the time that we have had.

I further want to comment that the chairman of our Subcommittee on Crime and Criminal Justice, the gentleman from New York [Mr. SCHUMER], said that this procedure allows us to consider the Brady bill next week, H.R. 1025. I want to express my respect for the chairman, but my disappointment in his priority that that is a bill that we are rushing forward at a madcap pace to try to enact this year, while we leave aside far more significant legislation. Even from the point of view of the supporters of the Brady bill, and I know there are many, and I know it may in fact pass, I cannot imagine that the possible impact against crime is going to be any more than minimal. Because, the fact of the matter is that the violent criminals that we have been talking about here all morning and all afternoon are not the kind of individuals who buy firearms at licensed gun dealers.

It seems to me that we could have selected more appropriate bills. I would point out, however, that at best, at best, there might be a minimal positive effect from the Brady bill. My own view is there is the opposite point of view, which is that the loss of law enforcement resources and time, checking out honest citizens who want to

purchase firearms, will make a net loss of resources against violent crime.

My biggest complaint against the Brady bill, however, is that although this is legitimate complaint about whether it be helpful or hurtful to law enforcement, that Congress proposes in this bill to make that choice for local government.

The Brady bill as written says there will be a 5-day waiting period in which local police and sheriffs are ordered to do this background check. It seems to me that if we in Congress at the Federal level have decided that this is beneficial legislation, then we should provide a Federal law enforcement agency to conduct this check, or we should reimburse the local governments for doing it. It seems to me if we really believe that it will have a beneficial effect for law enforcement, that is exactly what we would do. And the failure to do that, I think, raises the question of the effectiveness of the bill.

But I want to say that although I oppose H.R. 1025, the Brady bill, I do not oppose any and all regulation of firearms. Quite to the contrary. One of the most effective laws that we have on the books today to prevent violent crime from happening is the current Federal law that makes it a crime for a convicted felon to be in possession of a firearm.

I have to say, and I have to say with the utmost regret, that although I have asked the Department of Justice for weeks and weeks on end, in personal contact, in letters, and in hearings, by the Subcommittee on Crime and Criminal Justice, for a report on how they are currently doing on enforcing that law, how many cases have they accepted? How many cases have they rejected? Why have they rejected them? How many cases have they prosecuted where a convicted felon is merely in possession of a firearm and has not yet committed a new crime? In other words, use this law for preventive purposes. The Department of Justice has failed to answer.

I want to say that I think it is inconsistent, at the very least, for the Department of Justice to be coming over here and to testify in favor of the Brady bill, which they do not have to enforce, while at least until now they cannot show me that they are interested in enforcing current criminal gun control laws that are on the books, and I think would be more effective.

I want to conclude by saying that if there was only time to bring one bill before this House between now and the time we adjourn for the rest of the year, my choice would have been truth in sentencing, a concept we already have in Federal law, a concept which the Attorney General of the United States has endorsed.

This is the concept that says across the Nation, in the State prison systems, as well as the Federal system, a

convicted criminal should serve at least 85 percent of whatever sentence is imposed upon that criminal by a judge or by a jury. It does not call on a specific sentence. It just says that whatever the sentence is, it ought to be served.

The fact of the matter is that the No. 1 problem in law enforcement is the early release of violent criminals to the street.

Mr. BROOKS. Mr. Speaker, I yield 3 minutes to our leader, the gentleman from Maryland [Mr. HOYER], the distinguished caucus chairman and a fine Member.

Mr. HOYER. Mr. Speaker, I rise in support of Chairman BROOKS' legislation which will place more police officers on the streets of America. Everyone knows that criminals in our society today have become more aggressive and more violent.

Law enforcement personnel from all over the country report the willingness of individuals to resort to violence to settle even the most minor disputes. And while there are some very pressing issues which are of concern to all Americans in this country such as: health care, unemployment, housing, and the economy, there is no single issue which evokes more passion or concern among the American people as crime.

At the community level, it is time to increase the involvement of those who serve daily on the frontlines fighting this national crime epidemic. It has been proven that serious crime decreases when law enforcement officials are visible members of the communities in which they serve. Thus, community based policing is one highly effective measure which can combat the daily atrocities which occur in so many American towns and cities across this Nation.

This will not solve the problem of crime and violence on our streets. However, today we can take one step that will help. You can't reason with thugs. You stop them. And to do that, police on the streets are essential.

That must be the first step. To restore order and protect our citizen's lives and property. Second, Chairman BROOKS has introduced other bills that I support which attempt to go beyond the immediate problem and address some of the underlying causes of crime.

Mr. Speaker, yesterday in my district I met with the heads of police departments, State's attorneys, Fraternal Order of Police presidents, the U.S. attorney, and the attorney general for our State. There was unanimous agreement that we must do more than simply put more police on the streets. They strongly supported, and I commend you for bringing to the floor today, legislation that will provide drug treatment programs and alternative punishment for nonviolent youths.

These programs can give a sense of self-worth, a job skill and help to these youths as they return to the community. The hope is that in doing so we can prevent them from committing crime again. Antigang programs and substance abuse programs for both State and Federal prisoners will also greatly assist law enforcement by trying to break the cycle of crime.

Mr. Chairman, I support all of your bills today and commend you for an excellent job in bringing them to the floor before we recess this year.

In addition, I will introduce today the Three Time Loser Act of 1993. This measure would ensure that repeat violent offenders would receive life imprisonment when they have already been convicted of two or more violent offenses occurring on two separate occasions. Again, we must break the cycle of violence plaguing our streets today.

These individuals, having been convicted of three separate violent crimes, I believe, have forfeited their right to be members of our society. They should be off our streets—in jail—forever—never to plague us again.

Taken together, these measures can help to effectively reduce the high level of criminal activity in America today. Mr. Speaker, I commend the chairman and urge the adoption of all of the bills under consideration today.

The legislation I referred to earlier follows:

H.R. —

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Three-Time Loser Act of 1993".

SEC. 2. LIFE IMPRISONMENT FOR THREE TIME VIOLENT OFFENDERS.

Section 3581 of title 18, United States Code, is amended by adding at the end the following:

"(c) PUNISHMENT OF CERTAIN VIOLENT FELONS.—

"(1) GENERAL RULE.—Notwithstanding any other provision of this title or any other law, in the case of a conviction for a Federal violent felony, the court shall sentence the defendant to prison for life, if the defendant has previously been convicted of two or more other violent felonies, at least two of which occurred during separate criminal episodes.

"(2) DEFINITION.—As used in this section the term "violent felony" is a State or Federal crime of violence (as defined in section 16 of this title)—

"(A) that involves the threatened use, use, or the risk of use of physical force against the person of another;

"(B) for which the maximum authorized imprisonment exceeds one year; and

"(C) which is not designated a misdemeanor by the law that defines the offense.

"(4) EFFECT ON DEATH PENALTY.—This subsection shall not be construed to prevent the imposition of the death penalty."

Mr. BROOKS. Mr. Speaker, I yield 1 minute to the gentleman from Virginia [Mr. SCOTT].

Mr. SCOTT. Mr. Speaker, again I would like to thank the chairman of the committee, the gentleman from Texas [Mr. BROOKS], and the gentleman from New York [Mr. SCHUMER], for their leadership in this legislation.

Mr. Speaker, H.R. 3350, the drug treatment bill, will have an immediate impact on our crime reduction efforts. Substance abuse is closely linked with convictions for violent crime. Sixty percent of the Federal prisoners are there because of some kind of drug involvement. According to the Bureau of Prisons, 20,000 prisoners have been designated as suffering from moderate to severe drug abuse problems.

Mr. Speaker, if we are to discontinue the revolving door and limit recidivism, drug treatment will have to have our strongest support. Holding them longer and then letting them out with the same drug problem they come in with will not do the job. This bill will constitute one of the most cost-effective crime prevention methods that we could pass. Therefore, Mr. Speaker, I would hope that we would support this crime reduction bill by passing this bill.

Mr. BROOKS. Mr. Speaker, I yield 2 minutes to the distinguished gentleman from New York [Mr. SCHUMER].

Mr. SCHUMER. Mr. Speaker, I thank the gentleman for yielding.

Mr. Speaker, this bill is I think one of the most important we could pass, and I have been working on it for a very long time.

Drug treatment, mandatory drug treatment in the prisons, is something I think we can all agree would do lots of good. We have prisoners in our prisons, so many of whom are committing horrible and heinous crimes because they are addicts. It makes no sense whatsoever to send them out of prison while they are still addicts and then they commit more crimes.

□ 1430

Particularly in light of the fact that the studies have shown that drug treatment, therapeutic drug treatment in the prisons is remarkably effective, in the prisons where it has been tried. The National Drug Research Institute, a Federal body that studies these things, traced prisoners who came out of three prisons, one in New York, one in Illinois, and one in Oregon, and found that 79 percent did not commit a crime for 5 years after. Is that no incredible, when we know that two-thirds of all prisoners do commit crimes within several years of getting out without drug treatment.

In any case, this is a bill that really works. I urge that we pass this bill.

One other thing I would say, the gentleman from Illinois has brought up, what about the reduction in sentence. The coercive effects of the criminal justice system, that if one does not get through this, they go back to prison

and they spend more time there, has again been remarkably effective. So in my judgment I would rather someone serve in jail 8 years for armed robbery and come out drug free than serve 9 years for armed robbery and still come out a drug addict.

I think the bill has been well thought out. The bill has many good points. It is cost-effective. Again, it is one of those parts of this bill that I know is not controversial, but I would argue to my colleagues, if we pass it and fund it, and fund it we must, on this one I agree with my colleague from Wisconsin, that we better make sure there is funding in the appropriations bill next year when it comes along, we will have done more to reduce crime than so many of, again, those arcane constitutional debates on things like habeas corpus, exclusionary rule, et cetera.

Our constituents will think we are finally doing our job on the crime issue.

Mr. SENSENBRENNER. Mr. Speaker, I yield the balance of my time, 2 minutes, to the gentleman from Florida [Mr. MCCOLLUM].

Mr. MCCOLLUM. Mr. Speaker, I thank the gentleman for yielding time to me.

I first want to comment on the fact that the gentleman from Maryland [Mr. HOYER] a few minutes ago joined ranks with us on a very important proposition, we are happy to have him, on the idea that was brought up by the gentleman from Minnesota [Mr. RAMSTAD] earlier the other night that there is a need to put away for life those who commit felonies three times in a row, a three-time loser. That is something that the gentleman from Louisiana [Mr. LIVINGSTON] on our side first introduced and is in our comprehensive crime bill. So we are delighted to hear that the gentleman from Maryland [Mr. HOYER] is joining us on that.

My comment on this bill is, there is nothing wrong with this bill. It is a good bill. It gets at one portion of the problem we have with the war on drugs, a very important portion in our Federal Prison System for treatment, and I fully support this legislation.

What disturbs me is that we are looking at an administration now that is sending signals out that we may be retreating on some front on the war on drugs. To fight that war on drugs we need to continue to be comprehensive in nature. We need to have a good interdiction program; we need to have a good program overseas. We need to have a good program of taking the criminal element off the streets, and we need to have drug treatment.

One of the things we do not have in the original crime bill the gentleman from Texas introduced and is not, apparently, in the President's agenda is a bill that would restore and place in the law a death penalty for drug kingpins. It was in the bill that we produced out

of the House in the last Congress and did not become law, but for some reason the Clinton administration does not favor this. They claim it is not constitutional.

We have debated that. We debated it before. It clearly is. One of the things we can that is very important in the war against drugs is to send a tough message out there, "If you traffic in large enough quantities of narcotics, you are going to kill people; if you kill people in that fashion, then you should get the death penalty." And we should introduce that, and we should pass that. And we should have the opportunity out here on the floor to vote on it.

Mr. HYDE. Mr. Speaker, will the gentleman yield?

Mr. MCCOLLUM. I yield to the gentleman from Illinois.

Mr. HYDE. Mr. Speaker, on this bill, however, I still would like the question answered, why we have to shorten somebody's sentence when they are in jail for a serious crime and are taking this substance abuse rehabilitation. I thought cold turkey worked pretty well. And when someone is in prison, it ought to be tough to get drugs.

Last what about the Clinton health program? Will not these prisoners get drug rehabilitation anyway, and does anybody know the answer to that?

These are interesting questions to which we will not have time for an answer.

Mr. MCCOLLUM. Mr. Speaker, reclaiming my time, the gentleman makes an excellent point. There are some technical problems with this bill. Overall, the thrust, however, there is no problem on.

The issue is, we need to do more and we need, in the war on drugs, not to retreat. That is a fear that I have from what I have been hearing from downtown in some of the statements different administration people have been making about the war on drugs. We need very badly to keep the pressure up on all fronts.

The gentleman from New Jersey and I passed important legislation to do that before. I support this bill as it is, but we need to do more.

Mr. BROOKS. Mr. Speaker, I yield 4 minutes and 30 seconds to the gentleman from New York [Mr. SCHUMER].

Mr. SCHUMER. Mr. Speaker, I thank the gentleman for yielding time to me.

I apologize for being in the Cloakroom. I wanted to answer the gentleman from Illinois.

The reason that we need incentives to get the people into this drug treatment is simply empirical. Therapeutic drug treatment is a very difficult thing to go through.

Mr. HYDE. Mr. Speaker, will the gentleman yield?

Mr. SCHUMER. I yield to the gentleman from Illinois.

Mr. HYDE. Mr. Speaker, they have to want to get well, do they not? They

have to want to get well. They do not need the incentive of getting out early, if they want to get clean. Is that not true?

Mr. SCHUMER. Mr. Speaker, no, I would not say that. They have to want to get well.

What I would say to the gentleman is this, therapeutic drug treatment. I have been to these prisons. I come at this from a perspective of being tough on crime, as the gentleman knows I am. I believe we must punish. We cannot just have prevention without punishment. We need both.

But what I would say to the gentleman is this, therapeutic drug treatment as practiced not in prison and in prison is the same. We have eight or nine people in the room with a counselor, and they tear each other apart personally. I do not mean physically but mentally and emotionally. They figure out their weaknesses and their lack of ability and confidence that made them go into a life of drugs.

On the outside, and even in the best of programs, most people leave. Phoenix House considers it is successful if, out of 10 who start, 4 finish. In a typical drug treatment program on the outside, one in my district that is supposed to be not the best but not the worst, 3 out of every 100 finish, because when they get to a crucial point about what they did or what was done to them that made them into an addict, their parents beat them, whatever else, they leave. They go home and resume a life of drugs. It is easier. It is quicker. It kills the pain.

But if they know that if they drop out they go back to Sing Sing or back to a high-security prison for the remainder of their term, there is an incentive to do it. So what they want to do is get prisoners to want to try it.

What happens in most of these, people who apply are not those who want to get well. Many of those people are the ones who were taken care of on the outside and not leading a life of crime. They are applying because they might get a small, and it is a small, reduction in sentence. They are applying because they might be at a different facility rather than one upstate, one far away from their families. But then when they start going through it, they get hooked in and they get cured. Not all of them get cured, but enough of them that to me it is worth the gamble.

I would not want to see these people not get any jail time or even get a slap-on-the-wrist short jail time. But in a long sentence, say, a 10-year sentence, for instance, they get a reduction of 1 year if they successfully go through this is incentive enough for me.

Mr. HYDE. Mr. Speaker, if the gentleman will continue to yield, I agree that this is a very useful program. But I do not agree that the motive for getting into it is going to be a very successful one if it is to get their sentence

shortened. They presumably have committed a serious crime, and we have a tendency here that I think defines people on this issue.

□ 1440

That is, to deincarcerate people rather than incarcerate them. To put the time in prison to good use, I know of programs where inmates learn to read. They get a diploma, and that is wonderful, but to give them time off because they got in the program seems to me counterproductive.

Mr. SCHUMER. Reclaiming my time, I understand what the gentleman is saying. I would make two points. One is, this is not mandatory time off, it is an option, up to the prison authorities.

Second I would say to the gentleman that the incentive is not to get into the program, it is to stay in, it is to stay in. We know no way to cure a drug addict as good as therapeutic treatment. If they say, "It is another year or two," they may not drop out.

The SPEAKER pro tempore (Mr. HEFNER). The question is on the motion offered by the gentleman from Texas [Mr. BROOKS] that the House suspend the rules and pass the bill, H.R. 3350, as amended.

The question was taken.

Mr. BROOKS. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 5 of rule I and the Chair's prior announcement, further proceedings on this motion will be postponed.

GRANTS FOR DEVELOPING ALTERNATIVE METHODS OF PUNISHMENT FOR YOUNG OFFENDERS

Mr. BROOKS. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 3351) to amend the Omnibus Crime Control and Safe Streets Act of 1968 to allow grants for the purpose of developing alternative methods of punishment for young offenders to traditional forms of incarceration and probation, as amended.

The Clerk read as follows:

H.R. 3351

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. CERTAINTY OF PUNISHMENT FOR YOUNG OFFENDERS.

(a) IN GENERAL.—Title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3711 et seq.), is amended—

(1) by redesignating part Q as part R;

(b) by redesignating section 1701 as section 1801; and

(3) by inserting after part P the following:

"PART Q—ALTERNATIVE PUNISHMENTS

FOR YOUNG OFFENDERS

"SEC. 1701. GRANT AUTHORIZATION.

"(a) IN GENERAL.—The Director of the Bureau of Justice Assistance (referred to in this part as the 'Director') may make grants under this part to States, for the use by States and units of local government in the

States, for the purpose of developing alternative methods of punishment for young offenders to traditional forms of incarceration and probation.

"(b) ALTERNATIVE METHODS.—The alternative methods of punishment referred to in subsection (a) should ensure certainty of punishment for young offenders and promote reduced recidivism, crime prevention, and assistance to victims, particularly for young offenders who can be punished more effectively in an environment other than a traditional correctional facility, including—

"(1) alternative sanctions that create accountability and certainty of punishment for young offenders;

"(2) boot camp prison programs;

"(3) technical training and support for the implementation and maintenance of State and local restitution programs for young offenders;

"(4) innovative projects;

"(5) correctional options, such as community-based incarceration, weekend incarceration, and electronic monitoring of offenders;

"(6) community service programs that provide work service placement for young offenders at nonprofit, private organizations and community organizations;

"(7) demonstration restitution projects that are evaluated for effectiveness; and

"(8) innovative methods that address the problems of young offenders convicted of serious substance abuse (including alcohol abuse, and gang-related offenses), including technical assistance and training to counsel and treat such offenders.

"SEC. 1702. STATE APPLICATIONS.

"(a) IN GENERAL.—(1) To request a grant under this part, the chief executive of a State shall submit an application to the Director in such form and containing such information as the Director may reasonably require.

"(2) Such application shall include assurances that Federal funds received under this part shall be used to supplement, not supplant, non-Federal funds that would otherwise be available for activities funded under this part.

"(b) STATE OFFICE.—The office designated under section 507 of this title—

"(1) shall prepare the application as required under subsection (a); and

"(2) shall administer grant funds received under this part, including review of spending, processing, progress, financial reporting, technical assistance, grant adjustments, accounting, auditing, and fund disbursement.

"SEC. 1703. REVIEW OF STATE APPLICATIONS.

"(a) IN GENERAL.—The Director, in consultation with the Director of the National Institute of Corrections, shall make a grant under section 1701(a) to carry out the projects described in the application submitted by such applicant under section 1702 upon determining that—

"(1) the application is consistent with the requirements of this part; and

"(2) before the approval of the application, the Director has made an affirmative finding in writing that the proposed project has been reviewed in accordance with this part.

"(b) APPROVAL.—Each application submitted under section 1702 shall be considered approved, in whole or in part, by the Director not later than 45 days after first received unless the Director informs the applicant of specific reasons for disapproval.

"(c) RESTRICTION.—Grant funds received under this part shall not be used for land acquisition or construction projects, other than alternative facilities described in section 1701(b).

"(d) DISAPPROVAL NOTICE AND RECONSIDERATION.—The Director shall not disapprove any application without first affording the applicant reasonable notice and an opportunity for reconsideration.

"SEC. 1704. LOCAL APPLICATIONS.

"(a) IN GENERAL.—(1) To request funds under this part from a State, the chief executive of a unit of local government shall submit an application to the office designated under section 1701(b).

"(2) Such application shall be considered approved, in whole or in part, by the State not later than 45 days after such application is first received unless the State informs the applicant in writing of specific reasons for disapproval.

"(3) The State shall not disapprove any application submitted to the State without first affording the applicant reasonable notice and an opportunity for reconsideration.

"(4) If such application is approved, the unit of local government is eligible to receive such funds.

"(b) DISTRIBUTION TO UNITS OF LOCAL GOVERNMENT.—A State that receives funds under section 1701 in a fiscal year shall make such funds available to units of local government with an application that has been submitted and approved by the State within 45 days after the Director has approved the application submitted by the State and has made funds available to the State. The Director shall have the authority to waive the 45-day requirement in this section upon a finding that the State is unable to satisfy such requirement under State statutes.

"SEC. 1705. ALLOCATION AND DISTRIBUTION OF FUNDS.

"(a) STATE DISTRIBUTION.—Of the total amount appropriated under this part in any fiscal year—

"(1) 0.4 percent shall be allocated to each of the participating States; and

"(2) of the total funds remaining after the allocation under paragraph (1), there shall be allocated to each of the participating States an amount which bears the same ratio to the amount of remaining funds described in this paragraph as the number of young offenders of such State bears to the number of young offenders in all the participating States.

"(b) LOCAL DISTRIBUTION.—(1) A State that receives funds under this part in a fiscal year shall distribute to units of local government in such State for the purposes specified under section 1701 that portion of such funds which bears the same ratio to the aggregate amount of such funds as the amount of funds expended by all units of local government for correctional programs in the preceding fiscal year bears to the aggregate amount of funds expended by the State and all units of local government in such State for correctional programs in such preceding fiscal year.

"(2) Any funds not distributed to units of local government under paragraph (1) shall be available for expenditure by such State for purposes specified under section 1701.

"(3) If the Director determines, on the basis of information available during any fiscal year, that a portion of the funds allocated to a State for such fiscal year will not be used by such State or that a State is not eligible to receive funds under section 1701, the Director shall award such funds to units of local government in such State giving priority to the units of local government that the Director considers to have the greatest need.

"(c) GENERAL REQUIREMENT.—Notwithstanding the provisions of subsections (a) and (b), not less than two-thirds of funds received by a State under this part shall be

distributed to units of local government unless the State applies for and receives a waiver from the Director of the Bureau of Justice Assistance.

"(d) FEDERAL SHARE.—The Federal share of a grant made under this part may not exceed 75 percent of the total costs of the projects described in the application submitted under section 1702(a) for the fiscal year for which the projects receive assistance under this part.

"SEC. 1706. EVALUATION.

"(a) IN GENERAL.—(1) Each State and local unit of government that receives a grant under this part shall submit to the Director an evaluation not later than March 1 of each year in accordance with guidelines issued by the Director and in consultation with the National Institute of Justice.

"(2) The Director may waive the requirement specified in paragraph (1) if the Director determines that such evaluation is not warranted in the case of the State or unit of local government involved.

"(b) DISTRIBUTION.—The Director shall make available to the public on a timely basis evaluations received under subsection (a).

"(c) ADMINISTRATIVE COSTS.—A State and local unit of government may use not more than 5 percent of funds it receives under this part to develop an evaluation program under this section."

"(b) CONFORMING AMENDMENT.—The table of contents of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3711 et seq.), is amended by striking the matter relating to part Q and inserting the following:

"PART Q—GRANT ALTERNATIVE PUNISHMENTS FOR YOUNG OFFENDERS

"Sec. 1701. Grant authorization.

"Sec. 1702. State applications.

"Sec. 1703. Review of State applications.

"Sec. 1704. Local applications.

"Sec. 1705. Allocation and distribution of funds.

"Sec. 1706. Evaluation.

"PART R—TRANSITION—EFFECTIVE DATE—REPEALER

"Sec. 1801. Continuation of rules, authorities, and proceedings."

"(c) DEFINITION.—Section 901(a) of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3791(a)), is amended by adding after paragraph (23) the following:

"(24) The term 'young offender' means an individual, convicted of a crime, 22 years of age or younger—

"(A) who has not been convicted of—

"(i) a crime of sexual assault; or

"(ii) a crime involving the use of a firearm in the commission of the crime; and

"(B) who has no prior convictions for a crime of violence (as defined by section 16 of title 18, United States Code) punishable by a period of 1 or more years of imprisonment."

SEC. 2. AUTHORIZATION OF APPROPRIATION.

Section 1001(a) of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3793) is amended by adding after paragraph (10) the following:

"(11) There are authorized to be appropriated \$200,000,000 for each of the fiscal years 1994, 1995, and 1996 to carry out the projects under part Q."

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Texas [Mr. BROOKS] will be recognized for 20 minutes, and the gentleman from Wisconsin [Mr. SENSENBRENNER] will be recognized for 20 minutes.

The Chair recognizes the gentleman from Texas [Mr. BROOKS].

Mr. BROOKS. Mr. Speaker, I yield 1 minute to the distinguished gentleman from Indiana [Ms. LONG].

Ms. LONG. Mr. Speaker, I rise on behalf of the Congressional Rural Caucus to commend the chairman, the gentleman from Texas [Mr. BROOKS] for his work to ensure that rural America is a full partner in the anticrime measures being considered.

Crime is impacting rural America today as it never has before. The latest crime figures from the Department of Justice document that violent crime is dramatically growing in rural America. In addition, crime in rural areas is growing faster than in urban or suburban areas of the country. At the same time, rural law enforcement lacks the personnel and the training to effectively combat this rise in crime.

In past anticrime legislation, rural areas have not received the attention or focus that the more visible crime problems in larger urban areas have received. The measures we consider today will help alleviate the troubling crime trends in rural America and will send a strong signal to rural residents that we understand the problems facing them.

I again thank the chairman, and I thank the ranking minority member, the gentleman from New York [Mr. FISH], the gentleman from Oklahoma [Mr. SYNAR], the gentleman from New York [Mr. SCHUMER], and the committee staff for working to make this anticrime legislation fair for all areas of the country.

Mr. SENSENBRENNER. Mr. Speaker, I yield myself 4 minutes.

Mr. Speaker, I rise in opposition to H.R. 3351. This is a bill that provides \$200 million unfunded dollars for youthful offenders programs. The fact that it is not funded and does not provide one dime for punishment of youthful offenders, one dime for boot camps or anything else, is not the only reason that is wrong with this bill.

First, it defines a youthful offender in the bill as reported from the Committee on the Judiciary as anybody 28 years of age or younger. I understand that has been amended so it is now 22 years of age or younger.

We are living in a society where kids are killing adults and kids are killing kids. What is proposed to be done is to say someone 22 years old is a kid and ought to be given the lighter sentences that our society has given to juveniles who commit crimes. That is absolutely wrong.

Mr. Speaker, one attains the age of majority in most States at age 18. You are able to vote, you are responsible for your contracts, you are able to serve on a jury, and it seems to me that if you want to be an adult at the age of 18, you ought to be an adult for purposes of the criminal law at the age of

18, rather than being given a grace period of 4 or 5 more years where you will still be considered a juvenile if you shoot or maim somebody, but you will be considered an adult in terms of being responsible for your contracts.

Mr. Speaker, let us look at some of the other alternative punishments for young offenders age 22 or under. Technical training and support. That is a punishment? Correctional options such as community-based incarceration, weekend incarceration, or electronic monitoring of offenders. That means an offender never gets locked up for a considerable period of time and taken out of society.

Community service programs that provide work service placement for young offenders at nonprofit private organizations and community organizations. That is a punishment? It is under this bill. This is the fuzzy-minded approach to dealing with kids who are raising such Cain in our society that the people are rising up against.

This bill cannot be fixed by an appropriation. It cannot be fixed by an amendment reducing the age still further, to 18. It ought to be defeated altogether. We in Congress ought to send a message out to the young people in this country. It is that they have got to be responsible for their criminal actions, and they will be treated severely if a jury should find they are guilty.

Mr. Speaker, I reserve the balance of my time.

Mr. BROOKS. Mr. Speaker, I yield myself such time as I may require.

Mr. Speaker, I rise in strong support of H.R. 3351, providing a grant program for State and local governments to develop alternatives to traditional forms of incarceration as punishment for youthful offenders. Alternatives can include such punishments as boot camps, which 22 states now have, community-based incarceration, weekend incarceration, community service programs, and innovative methods to intercept youths who are starting down the path of no return in a lifetime of crime.

Neither the communities in which youthful offenders live—nor society as a whole—can afford to lose these young people to lives of crime. Once incarcerated with career criminals, youthful offenders often become hardened criminals themselves. They get graduate degrees in crime, and return to their communities with no further hope of becoming law-abiding, productive citizens.

All steps to turn young offenders around must be taken now before we lose another generation to this vicious cycle. H.R. 3351 is just one well-targeted attempt by the Federal Government to help the States and local governments achieve this crucial goal.

I thank the gentleman from New York [Mr. SCHUMER] and his subcommittee members for their leadership on this important issue, and would

urge my colleagues to support H.R. 3351.

Mr. Speaker, I reserve the balance of my time.

Mr. SENSENBRENNER. Mr. Speaker, I yield 5 minutes to the gentleman from Florida [Mr. MCCOLLUM].

Mr. MCCOLLUM. Mr. Speaker, I thank the gentleman for yielding time to me.

Mr. Speaker, I would like to ask the chairman a question of clarification about this bill, if I could have the attention of the gentleman from Texas [Mr. BROOKS].

Mr. Speaker, it is my understanding that the bill has been modified from what we initially reported out of committee, that we now have the age down to 22 years of age or younger, and that we are excluding individuals with a prior conviction for a felony crime of violence, as well as first time offenders who are convicted of a crime involving sexual assault and the use of a firearm.

I would ask the gentleman, am I correct that that is in the bill?

Mr. SCHUMER. Mr. Speaker, will the gentleman yield?

Mr. MCCOLLUM. I yield to the gentleman from New York.

Mr. SCHUMER. Mr. Speaker, the gentleman is correct.

Mr. MCCOLLUM. Mr. Speaker, I thank the gentleman very much.

Mr. Speaker, this significantly improves the bill from what it was previously in committee, but I must say, Mr. Speaker, that the age still bothers me considerably. I think if we are going to target youthful offenders, they ought to be truly youthful. They should be 18 years of age or younger, as I expressed in the full committee. However, I appreciate very much the fact that the gentleman from New York [Mr. SCHUMER] and the gentleman from Texas [Mr. BROOKS] have worked to make these changes that do significantly improve this bill.

□ 1450

Overall, I have one major problem with the entire area where we are addressing today, but youthful offenders gives me an opportunity to make this point expressly because it is connected with the priorities we should be setting currently with the limited resources we have. I am all for eventually doing what I think should have been done a long time ago, and that is finding ways to rehabilitate those first-time youthful offenders who really have not committed the heinous, violent crimes that are spreading around this Nation.

But all too often many of the crimes being committed today are being committed by teenagers 12, 15 years old. They are the ones shooting the tourists, they are the ones committing the really violent crimes, and they are not just committing them as first offenders, but as third, fourth, and fifth time offenders, and many times more offend-

ers of crimes of a violent nature. That presents a serious problem. The problem is these are not people who are going to rehabilitate, and we should not be spending time doing that. We need to develop a whole program working in concert with the States to take these really violent criminals off the streets and weed them out of the program so that we can then get the resources and the time to devote to the seed programs that will make a difference in changing the social environment and in rehabilitation and so on that maybe would work.

But until we get the truly violent criminal, law enforcement in this country cannot breathe, the citizens of this country cannot get relief. And that is why we need to do the most fundamental things that are not out here today, that the chairman has suggested and that I hope we will see up here next year. One of the key elements of that is something that Republicans have proposed and strongly urged, but we still do not have a good sense though that those on the other side want to do it, and that is to go into partnership with the States of create a scheme of regional prisons to house just violent offenders who are convicted in the State courts where the overcrowding problem exists and the revolving door is the greatest. We need to go into this partnership. We suggest a 50/50 cost-sharing proposition that has a carrot with it, and it says that only those criminals that will be qualified to go into that prison and have committed violent crimes, or sexual abuse crimes of a certain described nature, and only from those States where the States have passed laws that require that those who are convicted of these crimes serve at least 85 percent of their sentences instead of getting back out on the street after serving a third or less of their sentences. And only the States where there are minimum mandatory sentences for those types of violent crimes.

In essence, we need to find a way from the Federal end to help the States where most of the crime is committed to get their violent criminals and their really bad criminals, including these youthful violators who are really the bad ones off of the streets, locked up, with the keys thrown away, not letting them out for years and years and years. Then we can begin to look at other programs.

The States say they need that. They need that kind of help. We proposed and we have discussed earlier how to find that with administrative cost cuts and other additional taxes.

We are also hearing from the States two other things. They need to have reform in the laws that involve appeals from death row inmates, because they recognize, as we do on this side of the aisle, that we need to put swiftness and certainty of punishment back into the

criminal justice system again. We do not have that. We cannot get deterrence. We need incapacitation, and we need deterrence. Those are the two bulwarks of the criminal justice system that used to exist out there that are missing now.

If we get those back, then we can start looking at rehabilitation. But until we get them back we are going to have this rampage and this crisis of violence out on the streets that we have now, and we will not be able to control it. And we will not be able to do the job that the American public rightfully is demanding of us. That involves things like ending the habeas corpus procedures that allow these delays to happen once you finish a regular appeal from a death row case, and you go back into court again saying you did not have an attorney that was satisfactory, or whatever else, appeal that, and then find another procedure and so on.

It also involves, they tell me, another need that they have, and that is to change the rules of evidence so that you can more easily get into evidence those things that come from searches and seizures. Those are the kinds of things we should be doing today, and not just worrying about this kind of a bill. As important as it may be, it is not nearly good enough.

Mr. BROOKS. Mr. Speaker, I yield 2 minutes to the distinguished gentleman from California [Mr. EDWARDS], chairman of the Subcommittee on Civil and Constitutional Rights.

Mr. SENSENBRENNER. Mr. Speaker, I yield 1 minute to the gentleman from California [Mr. EDWARDS].

Mr. EDWARDS of California. Mr. Speaker, I thank the gentleman for yielding me this time.

Mr. Speaker, I suggest that this is a historic moment in American history insofar as crime bills are concerned. For the first time we are addressing real crime and its problems and the way to resolve crimes.

These five bills go to the heart of our problems in the United States, which incidentally happens to be the crime capitol of the world. These bills address drugs, young people, gangs, and next week we will address guns. We will address for the first real time the fact that we have too many guns and that criminals should not be able to go into a store and buy guns. That will be next week.

The gentleman from New York, [Mr. SCHUMER], and the gentleman from Texas, [Mr. BROOKS] deserve a lot of credit for this bill, and for all five bills today, because they are a giant step in the right direction. But again, I say for the first time we are getting to the root of what is wrong in this country insofar as crime is concerned.

For the last 10, 12 or 15 years we have looked at it with a different approach: lock them up, throw away the keys, forget them, or hang them, electrocute

them, whatever it is. And what has happened? Crime has taken off like a skyrocket. We have more people in jail today proportionately than any country in the world. We just passed South Africa, thank you very much, insofar as people in jail.

In the Federal system, which is our responsibility, which was one the pride of the United States and the model for the world, we are nearly 200 percent over capacity. We have built 29 prisons since 1979, and there are between 30 and 35 new ones under construction or under rebuilding to house more prisoners.

So do not let anybody say that we are soft on putting people in jail in this country. These five bills are a mammoth step in the right direction, and I compliment us, and I compliment you, Mr. Chairman, Mr. SCHUMER, and you, Mr. SENSENBRENNER, too. You are a strong advocate, unlike so many of your colleagues on the other side of the aisle, of gun control.

Mr. SENSENBRENNER. Mr. Speaker, will the gentleman yield?

Mr. EDWARDS of California. I yield to the gentleman from Wisconsin.

Mr. SENSENBRENNER. Mr. Speaker, earlier in the debate today the chairman of the committee, the gentleman from Texas, [Mr. BROOKS] said that various controversial items such as the death penalty and habeas corpus have been referred to subcommittee for consideration. The subcommittee of which you are the chair has jurisdiction over these issues. We want to have a vote on these issues, and I think it is important for the American public to know how their Representatives stand on these issues.

Can the gentleman give us a commitment to report those bills out, and if so, by what date so that we know when we will be voting on them?

Mr. EDWARDS of California. Reclaiming my time, with regard to the portions of the Brooks bill that have just yesterday or today been referred to our subcommittee, every issue will be addressed in the subcommittee, and whatever portions of the bill are approved by the subcommittee will be brought to the full floor.

Mr. SENSENBRENNER. If the gentleman will yield further, that is a cop-out, because we all know how the votes are.

The SPEAKER pro tempore (Mr. HEFNER). The time of the gentleman from California [Mr. EDWARDS] has expired.

Mr. SENSENBRENNER. Mr. Speaker, I yield myself 2 minutes.

Mr. Speaker, we know what the votes are there, and simply by burying those issues in the gentleman's subcommittee, the American people will be deprived of knowing how their representatives vote on the death penalty, habeas corpus reform, and exclusionary rule reform. And I would hope that this

Congress would be responsible enough to be accountable on issues like this.

I say to the gentleman from California [Mr. EDWARDS], he and I disagree on the death penalty. But I think that the constituents of everybody should know how all of the Representatives have voted so that we can reach a conclusion on it.

Mr. BROOKS. Mr. Speaker, will the gentleman yield?

Mr. SENSENBRENNER. I yield to the gentleman from Texas.

Mr. BROOKS. Mr. Speaker, I want to say to my friend he does an injustice to the gentleman from California [Mr. EDWARDS]. As chairman of the subcommittee, he has been very diligent in working on the matters assigned to that subcommittee. I feel positive that he will bring out those bills.

Mr. SENSENBRENNER. Reclaiming my time, the gentleman from Texas knows that I served as the ranking Republican member on the subcommittee that the gentleman from California [Mr. EDWARDS] chairs, and everybody knows that Mr. EDWARDS' subcommittee is one of the largest graveyards of legislation around here.

□ 1500

My point is that even if we are opposed to bills, we ought to have a vote on them so that the American public knows how Congress stands. And we were elected to lead and we were elected to have a record on issues; the frustration of gridlock that has been bandied about the country comes largely because a lot of proposals that people are interested in get buried in subcommittee and never come up for a vote. And I hope that does not happen with issues like the death penalty and habeas corpus reform.

Mr. BROOKS. Mr. Speaker, I yield 30 seconds to the gentleman from California [Mr. EDWARDS].

Mr. EDWARDS of California. I thank the gentleman for yielding this time to me.

Mr. Speaker, in response to the gentleman from Wisconsin [Mr. SENSENBRENNER], who served us admirably as the ranking Republican on the subcommittee for such a long time, last year we addressed every issue the gentleman refers to. They were addressed in subcommittee, in committee, in the full House of Representatives. They were comprehensive. A comprehensive omnibus crime bill was approved by the House of Representatives, by the Senate, by the conference, passed again by the House of Representatives, went to the Senate and was filibustered to death by a Republican Senator.

So, please, do not say that we do not address all the issues that are relevant.

Mr. BROOKS. Mr. Speaker, I yield 4 minutes to the gentleman from New Jersey [Mr. HUGHES], the distinguished chairman of the Subcommittee on Intellectual Property and Judicial Administration.

Mr. HUGHES. I thank the chairman for yielding this time to me.

Mr. Speaker, I want to say to my colleagues on the Republican side, who are doing their own little bit of filibustering today because we do not have a comprehensive bill on the floor, that I am going to be working with them to try to bring out of committee some of the things that I too want. I want habeas corpus reform. We need it in this country.

I support the death penalty, as my colleagues on the Judiciary Committee know. It is my hope that we can have a bill that will reserve for the most egregious offenses capital punishment.

But the bill we are talking about today is the alternatives to institutionalization for youthful offenders. We could argue about whether or not 22 is the right age, or 18. I am sympathetic, as the gentleman from Florida, knows, I got it down to 22 from 28 in full committee. So I share his concern.

But make no mistake about the importance of this bill. I mean, my colleagues are almost minimizing the impact that this bill will have. I frankly think this bill will have as great of an impact as any of the six bills that we are considering today, for this reason: If we could do something about the youthful offenders between the age of 12 and, say, 25, we would solve 75 percent of the crime in this country. They are the ones who are committing the offenses.

We are seeing youthful offenders some into the system 10 and 15 times before judges are doing anything about it.

Now, you know that.

You know it, it is happening throughout the country. And it is wrong, it is a disgrace. They do not think they are going to get caught, No. 1; and, No. 2, if they are caught, they do not think they are going to be punished.

This bill will provide alternatives to institutionalization. It will give the judges more sentencing options.

Part of their problem is the young people they get in before them—I am talking about judges throughout the country—that they do not want to send to jail because they know they come out worse for the experience and they know if they send them back home, they are sending them back to a very bad environment. This provides sentencing judges with other alternatives for nonviolent offenders, those who do not carry weapons, that is. Those who do carry weapons, the violent offenders are the ones the States ought to be taking off the streets. And I agree with my colleague from Florida, that is another problem.

But let me tell you, the young people we are talking about that are going to be utilizing these types of alternatives are the adult offenders of tomorrow. They are the ones who commit rather

minor offenses for the first and second time, but they are the adult offenders, the violent offenders of tomorrow. We need to begin dealing with them in the various States.

We do not prosecute street crime, generally, at the Federal level; it is the States that have this responsibility. And this is a good grant program to encourage the States to develop a myriad of alternatives. And I think it is a good bill, and I would urge my colleagues to support it.

Mr. SENSENBRENNER. Mr. Speaker, I yield 4 minutes to the gentleman from California [Mr. Cox].

Mr. COX. Mr. Speaker, as Yacov Smirnof says, "What a country; only in America do we have lite beer, lite potato chips, we even have lite cheese." Today we have the lite crime bill.

It comprises five bite-size pieces, five mini-bills that are most certainly less filling.

Now, four of them will actually pass the House, not because they do much good but because generally they are innocuous. But the one that we are debating right now is not innocuous; it will not pass the House. Unlike the other four, it is actually a major step backward.

It is titled "a bill for the purpose of developing alternative methods of punishment for young offenders."

The bill defines "alternatives" as something, and I quote, "other than a traditional correctional facility." In plain English, a traditional correctional facility is jail.

It defines youthful offender as somebody who is 22 years old or younger. In plain English, that means an 18-year-old, 19-year-old, 20-year-old, 21-year-old, or a 22-year-old. These are people who can vote, serve in the Armed Forces, buy and drink alcohol and even serve in State legislatures. In other words, adults.

The reason the bill calls for alternatives to traditional correctional facilities for youthful offenders is that if they said it in plain English, No more jail for 22-year-olds, it would not sound very tough on crime.

Worse yet, this bill is a new Federal spending program; it will cost over \$500 million over the next 3 years, over \$500 million to study new ways to letting 22-year-old criminals avoid jail.

Just what does the bill have in mind for alternatives to jail for 22-year-old criminals? Let me quote more from the bill. Section 1901(b)(4) authorizes grants for innovative projects. That makes sense. Why send a criminal to jail when we can have something more innovative?

Section 1901(b)(8) provides in the case of gang-related offenses, we should counsel and treat 22-year-old gang members who are convicted of crimes rather than send them to jail.

Section 1901(B)(5) says, instead of jail we should give these same hoods weekend incarceration instead of jail.

Weekend incarceration? God forbid that a gang member would have to give up his Saturday night.

This bill is dangerous. At a time when gang warfare is sweeping our Nation, at a time when gangs, street gangs of dangerous young men can be found in more than 800 cities and towns in America, this bill sends the wrong message. It will give us more murder, more rape, more carjackings, and more drive-by shootings, because it would tell would-be babyfaced assassins, "Go ahead, pull the trigger, you might not get jail."

According to U.S.A. Today, 73 percent of Americans say juveniles who commit crimes should be treated the same as adults. Let me repeat that: 73 percent of Americans say juveniles who commit violent crimes should be treated the same as adults.

This bill does exactly the opposite. Frankly, I do not care if it is Beevis or Butthead or any other maladjusted young man who commits arson or murder, what they need is real punishment, hard jail time. Thank God this bill is going down to defeat.

Mr. Speaker, bring a real crime bill to this floor. America wants it, crime victims need it.

Mr. BROOKS. Mr. Speaker, I yield 2 minutes to the distinguished member of the committee, the gentleman from Virginia [Mr. SCOTT].

Mr. SCOTT. I thank the gentleman for yielding this time to me.

Mr. Speaker, I want to commend the chairman of the committee, and I want to congratulate him and the gentleman from New York [Mr. SCHUMER] for their work in making progress on the crime bill.

Mr. Speaker, I have been advised, in contrast to what we are doing in making progress, I have been advised that in the other body they are now considering a filibuster of a motion to proceed with consideration of the omnibus crime bill, and therefore it is obvious they are not making much progress at all.

We have already passed legislation and are in the process of passing some more.

So, Mr. Speaker, I want to congratulate our chairman and the gentleman from New York [Mr. SCHUMER] for the progress that we are making on this bill, H.R. 3351, the alternatives to punishment bill. This will provide localities with funds that they need to provide innovative programs for youthful offenders which will not only punish but rehabilitate. This bill will empower our courts to impose sanctions between the slap-of-the-wrist and incarceration. Right now, it is incarceration or nothing. It will empower the courts to take the appropriate action on the first offense rather than waiting for the more serious subsequent offenses.

□ 1510

We have all heard of the juveniles who are arrested for serious offenses,

and we find it is their 10th offense. But what happened on the first offense?

We have to stop waiting for the more serious heinous crimes to be committed before we take action.

This bill will address the revolving door and will reduce crime by developing programs which will allow us to intervene early when it might make a difference before those heinous crimes are committed.

Mr. Speaker, H.R. 3351 is a major step in the right direction and I hope that we will support this bill.

Mr. SENSENBRENNER. Mr. Speaker, I yield 3 minutes to the distinguished gentleman from Pennsylvania [Mr. GEKAS].

Mr. SPEAKER. Mr. Speaker, and Members of the House, I rise to oppose the bill, but for a strange set of reasons not before articulated in this debate.

The gentleman from California [Mr. COX] who just spoke is correct. The bills that we are considering, all of them, are tilted toward the convict. In one way or another they are tilted toward the person who has committed the crime, treatment, alternative methods of incarceration; no thought of the victim, no thought of the law enforcement officials.

Let me finish, I say to the gentleman from New York [Mr. SCHUMER] and I will give the gentleman ample time afterward.

Mr. Speaker, I grasp back my time.

In any event, the bills are tilted toward the convicts, while the bills that are held in the committee of the other gentleman from California [Mr. EDWARDS] are tilted toward the victims, law enforcement officials, law enforcement communities across the country, and the law enforcement system generally, habeas corpus reform, death penalty reform, and also the exclusionary rule reform.

But there is one element in this bill which I endorse, the one we are presently discussing, that is boot camp.

Why? First of all, I have seen it in operation and to the extent that I was able to trace the result of it, it does have some semblance of being able to do something about the criminal who commits drug offenses principally.

But in any event, the gentleman from New Jersey [Mr. HUGHES] and I once participated in a graduation ceremony at one of these boot camps. I tell you, the difference between boot camp and these other alternatives that are part of this piece of legislation is that it is a tough process and they stay in prison. They are segregated. They are given more discipline, tougher times than the others who are not part of the boot camp.

I endorse it, not only because it is a good alternative method of incarceration, but because in some senses it is tougher and does have a better chance of preventing recidivism.

So although I am in favor of some types of alternatives, I do not favor

those kinds in which we lose trace of the convict, we lose the identity of the juvenile who goes back into community service or weekend incarceration or some other high faluting type of alternative punishment, when with boot camp we know where he or she is. We can watch the movements and we can see the progress made.

Add to that the fact that this is unfunded and some illusory kind of proposal, I oppose the legislation.

Mr. BROOKS. Mr. Speaker, I yield 5 minutes again to the distinguished gentleman from New York [Mr. SCHUMER].

Mr. SCHUMER. Mr. Speaker, I thank the gentleman for yielding this time to me.

First, let me say I think it is indicative of what is going on in the Senate and what is going on here. There, there is a comprehensive crime bill. Senator BIDEN has introduced it.

And what is happening as we speak? The Members from the other side of the aisle in that body are filibustering.

Mr. SENSENBRENNER. A point of order, Mr. Speaker. It is against the rules to refer to proceedings in the other body.

The SPEAKER pro tempore (Mr. Hefner). The gentleman should refrain from referring to the other body.

Mr. SCHUMER. Mr. Speaker, I believe I said the other body. I did not use the "S" word.

The SPEAKER pro tempore. The gentleman will refrain from characterizing actions taking place in the other body.

Mr. SCHUMER. I see, Mr. Speaker. All right.

Let us say hypothetically that if the other body were filibustering the comprehensive crime bill that the Members on this side are so eager for, one would begin to think maybe they would rather do nothing, so they could have it as an issue.

Now, let me say on this bill—

Mr. SENSENBRENNER. Mr. Speaker, will my friend, the gentleman from New York, yield?

Mr. SCHUMER. No, I will not yield to the gentleman. The gentleman flapped. Maybe he will take off.

The SPEAKER pro tempore. Regular order.

Mr. SCHUMER. Mr. Speaker, I would say to the gentleman, he has not yielded to me while I have been making my remarks, or I would be happy to yield to the gentleman.

But let me say to the gentleman, anyone can put together his or her own crime bill. The difficulty that we have had in this body in the past is getting 218 votes.

I can put together my bill. It would not be that dissimilar from that of the gentleman. Our views are not that different. I believe in their regional prisons provision. I believe in their death penalty provision, although I do not agree with their habeas procedure. I think it goes too far.

But what I would say is this, that we want to pass something for once and not just have rhetoric. Last year we had the comprehensive crime bill. It went down.

Two years ago we had it. It went down.

So for the gentleman from California to say that it is light, I do not think cop on the beat is light. Come to my city. They want them.

I do not think mandatory drug treatment in the prisons is light. Come to my constituents. They are tired of people coming out of jail and committing new crimes.

Nor is this bill light. I defy anyone on the other side to say, where does this reduce prison terms? There is not a word in here that says the prison term shall be reduced, or that this shall be an alternative in place of prison.

This is a grant to the States for first-time nonviolent offenders. And guess what happens to them in almost every locality, including mine?

They do not get a year in prison. They do not get 6 months in prison. They do not get a week in prison. Most of them get no prison for a nonviolent, low-level, nondrug crime.

I have talked to Judge Keating, our administrative judge. He said, "Please, our jails are full," and I certainly support building more jails. I think the McCollum provision is a worthy provision. It is in the Biden bill. It was not here because some on this side did not agree with it. I do.

But for those who are not going to be put in prison, is it better, I would say to the gentleman from California who seems to have lost interest after he gave his speech, is it better to have them with electronic devices around their wrists so we know where they are, or have no penalty?

Is it better to have them locked up for weekends, or is it better to have no penalty?

Is it better for them to go to a boot camp, which the gentleman from Pennsylvania has said is good and worthy, or to have no penalty?

We do not tell the States, give this to people in place of prison. We say, if your prisons are full, as most prisons are, and you have lots of first-time, nonviolent offenders, and you need help to give them some penalty so that they know and feel that the criminal justice system is not toothless, then apply and build the boot camp and put the bracelet around their wrists and make them stay in jail for the weekend.

I would say to my colleagues, the State of Georgia pioneered this. They developed this system, and it worked. Georgia, hardly a bleeding heart State, not California or San Francisco, Georgia, and they developed this and it worked.

A judge in Quincy, MA, a first-time minor property offender had to work

all weekend scrubbing walls. You know that they were not going to jail for that. It worked.

We have done that now in New York City some, and it has worked.

So I say to my colleagues, we need alternatives, not in place of prison, but in place of no punishment at all.

Mr. SENSENBRENNER. Mr. Speaker, I yield myself the remaining minute.

Mr. Speaker, if up in New York there are offenders who are getting no jail time at all, then maybe you need some judges up in New York who will throw these offenders in jail so that they will be punished for their transgressions against their fellow citizens.

Second, in terms of the allegation that Members on this side of the aisle will not support a comprehensive crime bill, if you want to work with us on a bipartisan basis and put some of our ideas in a comprehensive crime bill, we will support it.

The problem is that you people have wanted to pass a bill on a party line vote, without incorporating our ideas in that. And why should we give you votes with no input?

□ 1520

Mr. Speaker, I yield back the balance of my time.

Mr. BROOKS. Mr. Speaker, I yield 2 minutes to the gentlewoman from Washington [Mrs. UNSOELD].

Mr. Speaker, will the gentlewoman yield?

Mrs. UNSOELD. I yield to the gentleman from Texas.

Mr. BROOKS. Mr. Speaker, I would observe that the bill passed in the Committee on the Judiciary 34 to 1, all 5 of these bills. Republicans and Democrats alike, with the exception of one Republican, felt that they were worthwhile and helpful.

Mrs. UNSOELD. Mr. Speaker, violent, heinous crimes are occurring across this Nation with numbing regularity. This is not only a personal tragedy to the many victims, but a social tragedy, and symbol of our inability to deal effectively with the criminals. We need to reform our criminal justice system.

Mr. Speaker, I rise in support of this package of bills that begin the process of prevention and treatment. I commend our chairman, the gentleman from Texas [Mr. BROOKS], for his leadership. Today we are considering five bills that move us toward reform.

Mr. Speaker, these provisions authorize programs to put more police on the streets, send juvenile offenders to boot camps to help them become productive citizens, combat gangs and drug trafficking, and treat drug abusers in Federal and State prisons. I agree with all the goals behind these measures.

I have some concerns, however, that we may be promising too much. We spin out statements about making peo-

ple's homes and neighborhoods safer and giving their children alternatives to gangs, and they begin to hope. But we all know that these are only the beginning.

Mr. Speaker, I am convinced that, if we are truly to heal our society, we must attack the root causes of violence directly. There is nothing more important to our Nation than how we rear our children and how we break this cycle of children who are unloved, neglected, and abandoned, mindlessly lashing out in their own form of self-hatred and destruction. To do this, Mr. Speaker, we have got to pool all the resources we can muster.

Programs such as Head Start must be improved and fully funded; DARE and other drug prevention programs must get to young children before they get into drugs. We need to provide more early childhood education and a nurturing environment for those children who lack a family and positive role models. We need to insure that foundational values necessary for civilized life are instilled in our children. We need to counter the glorification of violence. We need to provide economic opportunity and hope for all our children.

Many of us are tired of solutions that are measured only by their toughness, solutions that sound good but fall short. We need to acknowledge the real value of treatment and prevention and need to look beyond today's vote to the larger battles for our Nation's children and our Nation's future.

The SPEAKER pro tempore (Mr. HEFNER). All time has expired.

The question is on the motion offered by the gentleman from Texas [Mr. BROOKS] that the House suspend the rules and pass the bill, H.R. 3351, as amended.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

The question was taken; and on a division (demanded by Mr. SENSENBRENNER) there were—ayes 4, nays 3.

Mr. BROOKS. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 5, rule I, and the Chair's prior announcement, further proceedings on this motion will be postponed.

GRANTS TO DEVELOP PROGRAMS TO REDUCE JUVENILE GANG PARTICIPATION AND JUVENILE DRUG TRAFFICKING

Mr. BROOKS. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 3353) to amend the Omnibus Crime Control and Safe Streets Act of 1968 to allow grants to develop more effective programs to reduce juvenile gang participation and juvenile drug trafficking, as amended.

The Clerk read as follows:

H.R. 3353

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. JUVENILE DRUG TRAFFICKING AND GANG PREVENTION GRANTS.

(a) The Omnibus Crime Control and Safe Streets Act of 1968, is amended—

(1) by redesignating part Q as part R;

(2) by redesignating section 1701 as section 1801; and

(3) by inserting after part P the following new part:

"PART Q—JUVENILE DRUG TRAFFICKING AND GANG PREVENTION GRANTS

"SEC. 1701. GRANT AUTHORIZATION.

"(a) IN GENERAL.—The Director is authorized to make grants to States and units of local government or combinations thereof to assist them in planning, establishing, operating, coordinating, and evaluating projects directly or through grants and contracts with public and private agencies for the development of more effective programs, including education, prevention, treatment and enforcement programs to reduce—

"(1) the formation or continuation of juvenile gangs; and

"(2) the use and sale of illegal drugs by juveniles.

"(b) USES OF FUNDS.—The grants made under this section may be used for any of the following specific purposes:

"(1) to reduce the participation of juveniles in drug related crimes (including drug trafficking and drug use), particularly in and around elementary and secondary schools;

"(2) to reduce juvenile involvement in organized crime, drug and gang-related activity, particularly activities that involve the distribution of drugs by or to juveniles;

"(3) to develop new and innovative means to address the problems of juveniles convicted of serious, drug-related and gang-related offenses;

"(4) to reduce juvenile drug and gang-related activity in public housing projects;

"(5) to provide technical assistance and training to personnel and agencies responsible for the adjudicatory and corrections components of the juvenile justice system to identify drug-dependent or gang-involved juvenile offenders and to provide appropriate counseling and treatment to such offenders;

"(6) to promote the involvement of all juveniles in lawful activities, including—

"(A) school programs that teach that drug and gang involvement are wrong;

"(B) programs such as youth sports and other activities, including girls and boys clubs, scout troops, and little leagues;

"(7) to facilitate Federal and State cooperation with local school officials to develop education, prevention and treatment programs for juveniles who are likely to participate in drug trafficking, drug use or gang-related activities;

"(8) to provide pre- and post-trial drug abuse treatment to juveniles in the juvenile justice system; with the highest possible priority to providing drug abuse treatment to drug-dependent pregnant juveniles and drug-dependent juvenile mothers;

"(9) to provide education and treatment programs for youth exposed to severe violence in their homes, schools, or neighborhoods;

"(10) to establish sports mentoring and coaching programs in which athletes serve as role models for youth to teach that athletic provide a positive alternative to drug and gang involvement;

"(11) to develop new programs that specifically address the unique crime, drug, and alcohol-related challenges faced by juveniles

living at or near International Ports of Entry and in other international border communities, including rural localities;

"(12) to identify promising new juvenile drug demand reduction and enforcement programs, to replicate and demonstrate these programs to serve as national, regional or local models that could be used, in whole or in part, by other public and private juvenile justice programs, and to provide technical assistance and training to public or private organizations to implement similar programs; and

"(13) to coordinate violence, gang, and juvenile drug prevention programs with other existing Federal programs that serve community youth to better address the comprehensive needs of such youth.

"(c) **FEDERAL SHARE.**—(1) The Federal share of a grant made under this part may not exceed 75 percent of the total costs of the projects described in applications submitted under this section for the fiscal year for which the projects receive assistance under this part.

"(2) The Director may waive the 25 percent matching requirement under paragraph (1), upon making a determination that such waiver is equitable due to the financial circumstances affecting the ability of the applicant to meet such requirements.

"SEC. 1702. APPLICATIONS.

"A State or unit of local government applying for grants under this part shall submit an application to the Director in such form and containing such information as the Director shall reasonably require."

(b) **CONFORMING AMENDMENT.**—The table of contents of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3711 et seq.), is amended by striking the matter relating to part Q and inserting the following:

"PART Q—JUVENILE DRUG TRAFFICKING AND GANG PREVENTION GRANTS

"Sec. 1701. Grant authorization.

"Sec. 1702. Applications.

"PART R—TRANSITION—EFFECTIVE DATE—REPEALER

"Sec. 1801. Continuation of rules, authorities, and proceedings."

SEC. 2. AUTHORIZATION OF APPROPRIATIONS.

Section 1001(a) of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3793), is amended by adding after paragraph (10) the following:

"(11) There are authorized to be appropriated \$100,000,000 for each of the fiscal years 1994 and 1995 to carry out the projects under part Q."

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Texas [Mr. BROOKS] will be recognized for 20 minutes, and the gentleman from Wisconsin [Mr. SENSENBRENNER] will be recognized for 20 minutes.

The Chair recognizes the gentleman from Texas [Mr. BROOKS].

Mr. BROOKS. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise in support of H.R. 3353. H.R. 3353 creates a grant programs to assist States and local governments in developing more effective and innovative programs to reduce juvenile gangs, to reduce the use and sale of illegal drugs by juveniles, and to promote the involvement of juveniles in lawful activities. The bill authorizes \$100 million for each of fiscal years 1994 and 1995.

Gang violence is now a depressingly real fact of American life—and not just in New York City and Los Angeles. Gang activity has spread all across the United States, in small towns, in middle-sized towns, in about every urban and rural area. In a very real sense, gang activity is another form of organized crime, and it must be eradicated.

The program created in H.R. 3353 is just one more way—but, an important way—in which the Federal Government can help to reduce the suffering of law-abiding members of our communities. Our neighborhoods are being inundated by drugs and are being terrorized by gangs. We need to assist young people in resisting the temptations and pressures to join in such destructive activities.

H.R. 3353 will help to achieve this goal and I urge my colleagues to cast an "aye" vote.

Mr. Speaker, I reserve the balance of my time.

Mr. SENSENBRENNER. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, this is another one of those unfunded authorization bills. The chairman of the Committee on the Judiciary, the gentleman from Texas [Mr. BROOKS], talks about the hundred million dollars that Congress plans to spend for juvenile drug traffic and gang prevention grants to local units of government and community organizations. However, Mr. Speaker, there is not one penny that is appropriated to do any of that for fiscal year 1994. The appropriations bill has already been passed by the Congress and has been sent to the President for his signature, and until the Office of Management and Budget comes up with a supplemental appropriation or a rescission, once again the Congress will be making an empty promise. I think that if this bill were funded, with appropriate restrictions on the type of grants that are available, much good can be done. However, the authorization for the grants in this bill is really wide open, including grants to organizations such as Boys and Girls Clubs, Scout troops, and Little Leagues.

Mr. Speaker, I do not know of any Little League team, and my son plays on one, that wants Federal aid. Little Leagues are a very, very important thing to help young people keep out of trouble. It gives them a sense of pride, it gives them a sense of teamwork, and it gives them a sense of accomplishment. But do we really want to authorize a program of Federal aid to the Little Leagues? That is what this bill does.

Second, this bill authorizes Federal aid to Scout troops. I am wondering if anybody has talked to the Secretary of the Interior on that. After all, he would not let Scouts help in the Golden Gate Park in San Francisco because the Scouts have a policy of not allow-

ing gays as Scoutmasters, and yet Scout troops are authorized to receive grants. My guess is that, if they do receive grants, there will be all kinds of restrictions that will be involved, including the one that I just mentioned that is against the very tenets of this volunteer organization.

It seems to me that again we are making a promise, and we are opening up a Pandora's box. I think that this bill should have been thought out a little bit more thoroughly, but to make my point I would like to read another letter from the Congressional Budget Office to the gentleman from Texas [Mr. BROOKS] dated November 1 to show that this bill does not do one darn thing.

U.S. CONGRESS,
CONGRESSIONAL BUDGET OFFICE,
Washington, DC, November 1, 1993.

Hon. JACK BROOKS,
Chairman, Committee on the Judiciary,
U.S. House of Representatives, Washington, DC.

DEAR MR. CHAIRMAN: The Congressional Budget Office has reviewed H.R. 3353, a bill to amend the Omnibus Crime Control and Safe Streets Act of 1968 to allow grants to develop more effective programs to reduce juvenile gang participation and juvenile drug trafficking.

Enactment of H.R. 3353 would not affect direct spending or receipts. Therefore, pay-as-you-go procedures would not apply to the bill.

If you wish further details on this estimate, we will be pleased to provide them.

Sincerely,

ROBERT D. REISCHAUER.

□ 1530

Mr. BROOKS. Madam Speaker, I yield such time as he may consume to the gentleman from Missouri [Mr. GEPHARDT], the distinguished majority leader.

Mr. GEPHARDT. Madam Speaker, coming from a city that now ranks third in the United States in murders, I am deeply concerned about the growing violence that pervades St. Louis and too many other communities around our country.

Two weekends ago we had 22 people shot in St. Louis, and 10 were killed. Most of the people were involved in gang violence.

Since the beginning of my public life as an alderman in St. Louis, I have talked to lots of police officials, judges, social workers, victims, and even criminals, in search of answers to these problems. Twenty years later we are faced with escalating crime of unfathomable dimensions.

In the face of this epidemic of violence, we must ask why our efforts to combat crime have not worked better. We can and we must continue to treat the symptoms, the obvious symptoms of violence. But it is my belief that until we squarely acknowledge and address the root cause of the problem, we will continue in a never-ending cycle of violence.

A great deal of the crime that plagues our society stems from gang

violence. Gangs are on the rise in every city. In Los Angeles there are 130,000 documented gang members; Chicago, 50,000; Denver, 5,000; Wichita, KS, a city of 300,000 there are 1,300 documented gang members. And the numbers everywhere just keep going up.

Sociologists will tell you that gangs have become the surrogate family for thousands of youngsters. As more children grow up in dysfunctional families, more teenagers turn to gangs for a sense of security, a sense of identity, and a sense of belonging.

The number of crimes increases exponentially as more young people commit more crimes, all to gain acceptance in the social organization that they have come to know as their family.

As one person told me, in the absence of love, hate and violence have become the dominant values of their group behavior.

For the most part, our efforts to curb crime have focused on the results of gang violence. I think it is time we try to rescue our children from the vice of gangs, where hate and violence are the standard and the norm.

This legislation authorizes \$200 million over the next 2 years to help figure out how to deter young people from joining gangs. These grants will enable State and local governments, as well as public and nonprofit organizations, to develop innovative, coordinated programs to reduce the number of juvenile gangs and to reduce the use and sale of drugs by juveniles.

The legislation funds a variety of initiatives, including education and treatment programs for young people that have been exposed to severe violence in their homes, schools, and neighborhoods.

All of us are fixated on the terror and sadness and heartbreak that occurs on a daily basis in every city in this country. But we cannot fall prey to our fears and retreat from the magnitude of the undertaking. As a French philosopher once said, "The journey of a thousand miles begins with a single step." Today we have the opportunity to take the first step toward saving a lot of our children, and, in so doing, saving ourselves and saving the future victims of these crimes.

Madam Speaker, I urge Members to support an important first step, H.R. 3353, and I congratulate the chairman and members of the committee for bringing this legislation forward to the floor of the House.

Mr. SENSENBRENNER. Madam Speaker, I yield 3½ minutes to the gentleman from Virginia [Mr. GOODLATTE].

Mr. GOODLATTE. Madam Speaker, today we are dealing with what passes for the 1993 crime bill as reported from the House Judiciary Committee. Given the skyrocketing murder, rape, and assault rate around our country, the bill only nibbles around the edge of the

problem instead of striking at the heart of violent crime.

I voted for five of the bills which are simply volunteer grant programs designed to provide for community policing, more effective programs to reduce juvenile gang participation and drug trafficking, drug treatment for prison inmates, school initiatives for preventing crime, and drug treatment for prison inmates.

Localities can choose whether or not they want to implement and pay for these programs in their cities or counties.

However, I voted against H.R. 3351 which provides \$200 million for grants to States to develop "alternative methods of punishment for young offenders" instead of jail. Incredibly, this bill originally set the age of young offenders at 28 years old. I understand that it has now been determined to lower that age to 22. It is still too old.

Many of these so called young offenders are committing the most brutal crimes in our Nation and they should be put in jail just like any other common thug. And if these youthful offenders commit capital murder, they should receive the death penalty just like older murderers.

Meanwhile, the committee failed to mark up bills which really crack down on criminals. There are many good ideas to fight crime locked up in the Congress while many hardened criminals are not locked up in our prisons.

I supported legislation streamlining the use of the death penalty. Currently endless appeals cause a delay of 10 or even 15 years before the executions occur and this lessens the deterrence.

In addition, I support H.R. 2872 which is a cost-sharing agreement between the Federal Government and States to build regional prisons to house violent State criminals. To qualify for Federal funds, a State must require violent criminals to serve at least 85 percent of their sentences, although I would prefer to see the full sentence carried out in these cases. The bill also requires longer mandatory sentences for certain violent offenders.

This measure is desperately needed because currently violent criminals serve only 37 percent of their given sentences. When you consider that 7 percent of the criminals account for 80 percent of the violent crime, it's clear that the best way to stop violent crime is to not put murderers, rapists, drug dealers, and other hoodlums back on our streets and in our neighborhoods.

It costs about \$25,000 a year to incarcerate someone, but that cost pales in comparison to the average cost of over \$400,000 a year in property loss, damage, and medical bills incurred as the result of the average career criminal.

Innocent victims, American families, are tired of going to the funerals of loved ones, and they are sick of living in fear. All the while, our criminal jus-

tice system coddles criminals and looks out for their rights instead of their victims' rights. Let us change this backward system by bringing out a crime bill with real teeth.

Mr. BROOKS. Madam Speaker, I yield 2 minutes to the distinguished gentleman from Virginia [Mr. SCOTT], a member of the committee.

Mr. SCOTT. Madam Speaker, I thank the gentleman for yielding, because we are again addressing the root cause of crime. Drug use and drug dealing and gang participation have continued to plague our youth. It is with this heightened sense of purpose that I offer my support for H.R. 3353, grants to reduce juvenile gang participation and drug trafficking.

□ 1540

These grants will finally provide funds to address the root causes of juvenile delinquency instead of our present strategy of reacting to problems after they have occurred. We should not be surprised, when our young people have no organized recreational opportunities, no summer jobs, no school dropout prevention programs, no job prospects, no boys and girls clubs to go to, we cannot allow those conditions to occur and then be surprised that our young people are joining gangs.

I have long held that more crime is prevented by boys and girls clubs than by multimillion dollar prisons.

Madam Speaker, there is a Little League baseball league in our community that involves 1,000 young people, that costs \$75,000, the approximate cost of 3 years of incarceration. The Justice Department research, the American Psychological Association and a number of other experts have concluded that attacking the root causes of crime are our only chance of reducing crime. We already lock people up at rates unchanged in the rest of the world and in some communities at a rate 10 times that found in the rest of the world.

The approach taken by H.R. 3353 is not only practical and effective, but it is also fiscally responsible.

Mr. SENSENBRENNER. Madam Speaker, I yield 5 minutes to the distinguished gentleman from Indiana [Mr. BURTON].

Mr. BURTON of Indiana. Madam Speaker, I thank the gentleman for yielding time to me.

This reminds me of what we call "feel-good legislation." It sounds good and it is going to play well back home, but it is really not going to solve the problem.

I have a lot of problems with this. We nip around the edges when we try to deal with crime and our youth population that is turning more and more to street crime and drug crime. We say that if we do a little bit here and a little bit there, that is going to solve the problem. And I think the gentleman

from Missouri said a while ago, a journey of a thousand miles begins with but a single step.

I was sort of thinking back to when we started taking our programs down the wrong path a few years ago, many years ago. We took fathers out of the homes, if they were getting welfare benefits so there is no father figure in the home so kids then turn to street gangs. We took God out of the schools and in place we put condoms in the schools. And we wonder why kids have a different moral attitude than we had back in the 1950's and 1960's. And we had all kinds of crazy decisions made by the Supreme Court, the Miranda and Escabido decisions, which gave criminals rights that the person who was violated did not have. And we wonder why crime escalated and increased. Then we come up with a program today that we are talking about that is going to spend \$200,000 and give Federal aid to the Boy Scouts and the Little League. There are all kinds of mischief in that proposal. If we give Federal aid to the Boy Scouts, are they then going to come under Federal control and regulations? Are we going to have homosexuals becoming Boy Scout masters and solve the moral problems of the country by doing that? This is not the right approach, in my opinion.

I would like to point out one more thing. In the grants for developing alternative methods of punishment for young offenders that we talked about just a few minutes ago, \$200 million a year for the next 3 years, I had a bill in the committee of the gentleman from Texas [Mr. BROOKS] that would create boot camps by taking closed-down Federal military bases and allowing the States to use those for boot camps. It would not have cost the Federal Government anything. It would have transferred the property to the State. And if the gentleman's committee and the Committee on Armed Services had worked together on this, the States could have taken over this responsibility where it rightfully should be to take these kids and put them into a boot camp to try to solve the problem.

I was watching, I think last Friday, as I was getting ready to head into the office, the Montel Williams show. They had a boot camp group of young people who had been criminals and drug addicts and everything else that marched in. They were saying yes sir and no sir, and they had been through a very rigorous boot camp program in the northeast. And it is very, very effective. It is cost effective. It is not going to throw Federal tax dollars that we do not have at the program.

I ask the chairman of the committee, why was not my boot camp bill heard? It is a bill that will work. It is a bill that turns the responsibility back to the States. We already have the property, and the States would like to have it. They can set up their own boot camps.

Rather than spending \$200 million in Federal money that we do not have on a program like they are talking about in H.R. 3351, it seems to me that the boot camp bill should have at least had a hearing so we could use Federal facilities to turn over to States so they could handle the problem.

Mr. BROOKS. Madam Speaker, will the gentleman yield?

Mr. BURTON of Indiana. I yield to the gentleman from Texas.

Mr. BROOKS. Madam Speaker, I am on the Committee on the Judiciary. The Committee on Armed Services has control of the military bases.

Mr. BURTON of Indiana. Madam Speaker, I understand that.

Mr. BROOKS. Madam Speaker, if the gentleman will continue to yield, that is not in my jurisdiction. I am willing to work with them and if any of the States, there are 22 now that have boot camp, if they wanted to use a military installation, all they had to do was ask their Members of Congress to talk to the Committee on Armed Services. I cannot control that. I would like to control it, the Committee on Armed Services and the Committee on Appropriations both, it would be wonderful. I would ask unanimous consent that that be done.

Mr. BURTON of Indiana. Madam Speaker, I believe that those committees have to work in concert.

I asked the chairman on the floor if he would give our bill a hearing. We did not get that. Instead, we had this \$200 million proposal come before this body. It is not cost-effective. It is not going to solve the problem, whereas the States, where we should be handling this problem, can solve it, if we give them the wherewithal to do it.

We are closing down these military bases. Those facilities can be used. As I said before, the Committee on Armed Services and the gentleman's committee are the committees of jurisdiction. If they would work together, we could get that done.

Mr. BROOKS. Madam Speaker, if the gentleman will continue to yield, I am delighted to work with the Committee on Armed Services. I have a high regard for them. I would be delighted to work with the gentleman on this. I am very sympathetic to the utilization of such bases for our boot camps or for full-class prisons, whatever they want to use them for.

Mr. BURTON of Indiana. Madam Speaker, I thank the gentleman.

Mr. BROOKS. Madam Speaker, I yield 3 minutes to the distinguished gentleman from California [Mr. BECERRA], a member of the committee.

Mr. BECERRA. Madam Speaker, I thank the gentleman for making it possible for a number of us who are new Members to be able to vote on a series of crime bills that will deal not only with incarceration and remediation of a problem with crime but also with the preventative aspects.

A number of us were elected to Congress hoping that we would not deal just with the back end of things but at the front end, before it gets too bad, that we would find a way to try to stop young people, kids, adolescents from every becoming criminal offenders and youthful offenders. So I thank the chairman for giving us that chance.

Let me also recite just a few anecdotes that occurred recently.

Three days ago at my house there were some kids trick or treating. Towards the end of the evening, about 8 o'clock at night, there was a woman with about six children who came knocking at our door after having sat at our front steps for about 5 or 10 minutes. She said, "Would you mind if I came in and left these children here while I make a phone call to see if my husband will come pick us up? There appear to be a gang of young men who are out there throwing eggs at homes and harassing the kids. I would like to find out where my husband is."

So we let her make the call. Her husband did show up, but this was at 8 o'clock in the evening in what I would consider a decent neighborhood. I consider where I live to be fairly safe, but yet this was a woman who had to call her husband to come pick her up because she was afraid to be outside.

I recounted that to my staff and, at the same time, they pointed out to me what had occurred that evening as well. And that was there were three young boys in the city of Pasadena right next to Los Angeles who had been shot and killed just without any cause by unknown sources, some individuals, young men. It is unknown who they were. Yet they were gunned down pointblank. They are now gone. We have no reason to understand why, but they are gone.

I thought that was selfless, but then I turned to my staff and said, "This is what we have to try to stop."

One of my staff members recounted something that occurred to a friend of hers within the past few months. A friend of hers was parked with her boyfriend on the side of a road. Three individuals came up and told them they were being held up. My staff member told me that her friend and her friend's boyfriend were pulled from the car, were told to get in the trunk. They were told that they were to be taken to the beach and they were going to be killed. At some moment a car passed by. The woman had enough sense to yell, "Run." She escaped. Her boyfriend saw the same thing occurring while these three individuals stood and did nothing.

□ 1550

He ran off and they were fine. These were two individuals who probably were about to be killed, and they were very fortunate to escape.

The types of legislation we have before us today hopefully will help us

deal with what we see here, senseless crime. I am very pleased to say that a number of us were very supportive of this type of legislation. Whether it is community policing or trying to go after drug abuse, gang prevention, we should do it, and this is the time.

Mr. SENSENBRENNER. Madam Speaker, I yield 4 minutes to the distinguished gentlewoman from New York [Ms. MOLINARI].

Ms. MOLINARI. Madam Speaker, I thank the gentleman for yielding time to me.

Madam Speaker, I rise today not to talk about the five grants that we are discussing, because some of them will have a minimal impact on crime as it affects our country, but they will not near eradicate the impact of what we have chosen not to discuss today.

It is my understanding by listening to the debate all morning and afternoon long that the issues were separated out on the basis of what was controversial and what was not controversial, so some issues would not get bogged down in politics and others would be allowed to be put into legislative initiatives. It was also my understanding that for a very significant portion of time the Committee on the Judiciary was working cooperatively, both sides, on provisions affecting one group of individuals in America. There was no controversy. We were in agreement. It just so happened that that group that would be affected is women.

The gentlewoman from Colorado [Mrs. SCHROEDER], the gentleman from Minnesota [Mr. RAMSTAD], along with the gentleman from Wisconsin [Mr. SENSENBRENNER], were working cooperatively on several important, non-controversial provisions to make life a little safer in the United States for women, provisions like extending and strengthening restitution, reimbursing victims for lost income and necessary child care expenses, for trying proceedings, creating new offenses punishable by up to 20 years imprisonment for interstate stalking, the full faith and credit of protective orders across State lines, a national study on campus sexual assault, a national task force to deal with violence against women, mandatory restitution for sex crimes, domestic violence and stalking offenses, the Violence Against Women Act, a Democrat bill, strengthening the rape victim shield law, and payment for testing HIV and sexually transmitted diseases for victims of sexual assault.

These were all agreed to in committee, as I understand it. These were not controversial. These are actions that cannot wait any longer. By addressing these issues today, Congress could be sending an important message to women and their potential attackers. Today, by failing to mention even one of them, we unfortunately send the message that we as a Congress do not think that they are important at all.

Mr. BROOKS. Madam Speaker, I yield 2 minutes to the gentleman from Texas [Mr. DE LA GARZA], the distinguished chairman of the Committee on Agriculture.

Mr. DE LA GARZA. Madam Speaker, I thank the gentleman for yielding time to me.

Madam Speaker, the local communities are doing, to the extent possible, what they can with the items that we discuss today: crime, burglary, robberies, gang warfare. In my area, which used to be a peaceful, law-abiding area, in the last few days they found a body, decomposed, with a bullet hole through the head, of a young man about 30.

A policeman was shot and killed as he tried to help a youngster being attacked by a rival gang. A young lady was raped, attacked, and died shortly after arriving at the hospital. The local police, as best they can, address this issue. They do not have the resources, do not have the manpower. There is yet the community effort that needs to be enhanced.

Last Saturday night I attended a session where the judges have a committee of volunteers who work with wayward youngsters. Later that evening we attended a session of what is called communities in schools, people who work with dropouts and potential dropouts. This series of bills that have been put out by the committee, I would like to commend the chairman and all the members of the committee for allowing us to address them from this level, for rightly or wrongly, the local communities now look to Washington for everything that happens in those communities.

The moral aspect of it, the family values, all of that is there. It just has to be motivated and mobilized. The mobilizing and motivating has to be done by local law enforcement, by the local political leaders. These bills are tools that help in that respect.

Madam Speaker, I feel very sincerely it can be done. I commend everyone that has worked on this endeavor, for these tools can be what makes us turn around.

Mr. SENSENBRENNER. Madam Speaker, may I inquire as to the time remaining on each side.

The SPEAKER pro tempore (Mrs. UNSOELD). The gentleman from Wisconsin [Mr. SENSENBRENNER] has 5½ minutes remaining, and the gentleman from Texas [Mr. BROOKS] has 7 minutes remaining.

Mr. SENSENBRENNER. Madam Speaker, I have no further requests for time, and I yield back the balance of my time.

Mr. BROOKS. Madam Speaker, I yield the balance of my time to my distinguished friend, the gentleman from New York [Mr. SCHUMER], the chairman of the Subcommittee on Crime and Criminal Justice of the Committee on the Judiciary.

Mr. SCHUMER. Mr. Speaker, I thank the distinguished gentleman from Beaumont and Jasper, TX, and places in between, Galveston, TX, for yielding time to me. It reminds me of a song, which I will spare the body at the moment.

Mr. Speaker, we in Congress have heard for years about the emerging problem of urban youth gangs. Unfortunately, this problem is no longer emerging, it is right here. Youth gangs are now major players in America's epidemic of violent crime, and they threaten the future of an entire generation of Americans.

Mr. Speaker, because this is a problem, we have drafted and put together H.R. 3353, which is an important national response to the frightening trend of gangs. It authorizes the Bureau of Justice Assistance to provide grants to the cities and States to fight youth gang violence and drug trafficking. These grants will be used to thwart the birth of new gangs and weaken existing gangs. It goes along with the whole theme of what we are doing today, which is that prevention is important.

Somehow some of the people on the other side of the aisle seem to think that we cannot do both prevention and punishment. I assure my colleagues that there are many of us who believe strongly in both: tough sentences, jails, and the kind of punishment that is necessary, but prevention also. Let us stop kids from getting into gangs, and then, unfortunately, if they do, and do bad things, let us punish them.

This bill deals with the preventative end, not because the punishment end is controversial, but because in terms of drugs and guns we have basically done that in previous crime bills. I urge my colleagues to support this legislation.

Mrs. KENNELLY. Mr. Speaker, I rise today in strong support of the crime legislation before us today. Violent crime and its effects have always been unacceptable to Americans. Lately, however, the problem has worsened. Incidents of violent crime seem more frequent and the victims younger and more innocent each day.

In Connecticut, the level of crime has increased in recent years, as the State struggles to find ways to combat the problem. Local police in Connecticut are forced to deal with increasing criminal activity, including unprecedented levels of gang violence, committed by more heavily armed criminals. This is the difficulty faced by towns and cities all over the country: less money and manpower to deal with a growing rate of crime.

The legislation before us would provide important resources in the fight against crime. I would call special attention to H.R. 3353, which aims to reduce the number of juvenile gangs and H.R. 3351, which would allow the development of alternative methods of youthful offenders. Hopefully, by focusing these resources on young offenders, we can change their path before they settle in to a life of crime.

These measures will not erase our crime problem, but represent an important start. Fighting crime must become a bipartisan issue. We can no longer afford to argue over Democratic and Republican responses to this demoralizing problem. Congress, together with the Clinton administration and State and local governments, must put their differences aside and work together in making our streets safer.

Mr. BROOKS. Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore (Mr. DE LA GARZA). The question is on the motion offered by the gentleman from Texas [Mr. BROOKS] that the House suspend the rules and pass the bill, H.R. 3353, as amended.

The question was taken.

Mr. BROOKS. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to the provisions of clause 5 of rule I and the Chair's prior announcement, further proceedings on the motion will be postponed.

SUBSTANCE ABUSE TREATMENT FOR STATE PRISONERS

Mr. BROOKS. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 3354) to amend the Omnibus Crime Control and Safe Streets Act of 1968 to allow grants for the purpose of developing and implementing residential substance abuse treatment programs within State correctional facilities, as well as within local correctional facilities in which inmates are incarcerated for a period of time sufficient to permit substance abuse treatment, as amended.

The Clerk read as follows:

H.R. 3354

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. RESIDENTIAL SUBSTANCE ABUSE TREATMENT FOR STATE PRISONERS.

(a) RESIDENTIAL SUBSTANCE ABUSE TREATMENT FOR PRISONERS.—Title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3711 et seq.), is amended—

(1) by redesignating part Q as part R;

(2) by redesignating section 1701 as section 1801; and

(3) by inserting after part P the following:

"PART Q—RESIDENTIAL SUBSTANCE ABUSE TREATMENT FOR STATE PRISONERS

"SEC. 1701. GRANT AUTHORIZATION.

"The Director of the Bureau of Justice Assistance (referred to in this part as the 'Director') may make grants under this part to States, for the use by States and units of local government for the purpose of developing and implementing residential substance abuse treatment programs within State correctional facilities, as well as within local correctional facilities in which inmates are incarcerated for a period of time sufficient to permit substance abuse treatment.

"SEC. 1702. STATE APPLICATIONS.

"(a) IN GENERAL.—(1) To request a grant under this part the chief executive of a State shall submit an application to the Director

in such form and containing such information as the Director may reasonably require.

"(2) Such application shall include assurances that Federal funds received under this part shall be used to supplement, not supplant, non-Federal funds that would otherwise be available for activities funded under this part.

"(3) Such application shall coordinate the design and implementation of treatment programs between State correctional representatives and the State Alcohol and Drug Abuse agency (and, if appropriate, between representatives of local correctional agencies and representatives of either the State alcohol and drug abuse agency or any appropriate local alcohol and drug abuse agency).

"(b) SUBSTANCE ABUSE TESTING REQUIREMENT.—To be eligible to receive funds under this part, a State must agree to implement or continue to require urinalysis or similar testing of individuals in correctional residential substance abuse treatment programs. Such testing shall include individuals released from residential substance abuse treatment programs who remain in the custody of the State.

"(c) ELIGIBILITY FOR PREFERENCE WITH AFTER CARE COMPONENT.—

"(1) To be eligible for a preference under this part, a State must ensure that individuals who participate in the substance abuse treatment program established or implemented with assistance provided under this part will be provided with aftercare services.

"(2) State aftercare services must involve the coordination of the correctional facility treatment program with other human service and rehabilitation programs, such as educational and job training programs, parole supervision programs, half-way house programs, and participation in self-help and peer groups programs, that may aid in the rehabilitation of individuals in the substance abuse treatment program.

"(3) To qualify as an aftercare program, the head of the substance abuse treatment program, in conjunction with State and local authorities and organizations involved in substance abuse treatment, shall assist in placement of substance abuse treatment program participants with appropriate community substance abuse treatment facilities when such individuals leave the correctional facility at the end of a sentence or on parole.

"(d) STATE OFFICE.—The Office designated under section 507 of this title—

"(1) shall prepare the application as required under section 1702, and

"(2) shall administer grant funds received under this part, including review of spending, processing, progress, financial reporting, technical assistance, grant adjustments, accounting, auditing, and fund disbursement.

"SEC. 1703. REVIEW OF STATE APPLICATIONS.

"(a) IN GENERAL.—The Director shall make a grant under section 1701 to carry out the projects described in the application submitted under section 1702 upon determining that—

"(1) the application is consistent with the requirements of this part; and

"(2) before the approval of the application the Director has made an affirmative finding in writing that the proposed project has been reviewed in accordance with this part.

"(b) APPROVAL.—Each application submitted under section 1702 shall be considered approved, in whole or in part, by the Director not later than 45 days after first received unless the Director informs the applicant of specific reasons for disapproval.

"(c) RESTRICTION.—Grant funds received under this part shall not be used for land acquisition or construction projects.

"(d) DISAPPROVAL NOTICE AND RECONSIDERATION.—The Director shall not disapprove any application without first affording the applicant reasonable notice and an opportunity for reconsideration.

"SEC. 1704. ALLOCATION AND DISTRIBUTION OF FUNDS.

"(a) ALLOCATION.—Of the total amount appropriated under this part in any fiscal year—

"(1) 0.4 percent shall be allocated to each of the participating States; and

"(2) of the total funds remaining after the allocation under paragraph (1), there shall be allocated to each of the participating States an amount which bears the same ratio to the amount of remaining funds described in this paragraph as the State prison population of such State bears to the total prison population of all the participating States.

"(b) FEDERAL SHARE.—The Federal share of a grant made under this part may not exceed 75 percent of the total costs of the projects described in the application submitted under section 1702 for the fiscal year for which the projects receive assistance under this part.

"SEC. 1705. EVALUATION

"Each State that receives a grant under this part shall submit to the Director an evaluation not later than March 1 of each year in such form and containing such information as the Director may reasonably require."

(b) CONFORMING AMENDMENT.—The table of contents of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3711 et seq.), is amended by striking the matter relating to part Q and inserting the following:

"PART Q—RESIDENTIAL SUBSTANCE ABUSE TREATMENT FOR PRISONERS

"Sec. 1701. Grant authorization.

"Sec. 1702. State applications.

"Sec. 1703. Review of State applications.

"Sec. 1704. Allocation and distribution of funds.

"Sec. 1705. Evaluation.

"PART R—TRANSITION—EFFECTIVE DATE—REPEALER

"Sec. 1801. Continuation of rules, authorities, and proceedings."

(c) DEFINITIONS.—Section 901(a) of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3791(a)) is amended by adding after paragraph (23) the following:

"(24) The term 'residential substance abuse treatment program' means a course of individual and group activities, lasting between 9 and 12 months, in residential treatment facilities set apart from the general prison population—

"(A) directed at the substance abuse problems of the prisoner; and

"(B) intended to develop the prisoner's cognitive, behavioral, social, vocational, and other skills so as to solve the prisoner's substance abuse and related problems."

SEC. 2. AUTHORIZATION OF APPROPRIATIONS.

Section 1001(a) of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3793), is amended by adding after paragraph (10) the following:

"(11) There are authorized to be appropriated \$100,000,000 for each of the fiscal years 1994, 1995, and 1996 to carry out the projects under part Q."

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Texas [Mr. BROOKS] will be recognized for 20 minutes, and the gentleman from Wisconsin [Mr. SENSENBRENNER] will be recognized for 20 minutes.

The Chair recognizes the gentleman from Texas [Mr. BROOKS].

□ 1600

Mr. BROOKS. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise in support of H.R. 3354. This bill amends the Omnibus Crime Control and Safe Streets Act of 1968 to allow Federal grants for residential substance abuse treatment programs within State correctional facilities, as well as within local correctional facilities in which inmates are incarcerated for a period of time sufficient to permit substance abuse treatment.

To be eligible for program funds, participating States must have a drug testing component. In responding to the fact that States have ever-dwindling resources, this eligibility requirement does not mean testing of every single prisoner. If a State determines that another way of handling drug-testing is a better way to go, its eligibility will not be affected.

H.R. 3354 is another attempt to assist States and local governments to break the vicious cycle of crime fed by drug addiction, and it is a worthwhile program. The program moneys in H.R. 3354 will be money well spent. I salute Congressman SCHUMER and others in his subcommittee, and Republicans and Democrats in the full committee who have actively pushed this needed program forward. I urge my colleagues to support this proposal.

Mr. Speaker, I reserve the balance of my time.

Mr. SENSENBRENNER. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, this is another unfunded authorization bill, \$300 million worth of promises and not one penny of delivery.

In my opinion, there is nothing wrong with encouraging States to have drug treatment programs for people who are incarcerated, and this bill would be noncontroversial if it were funded. But it is not. It is going to dangle a carrot in front of the nose of the States that there will be money available to try to detoxify criminals before they are released from prison, and the Congress will continue moving the carrot further and further away from the rabbit so that the rabbit will never get it. And that is what is wrong with what the majority party has proposed here today.

There were a number of elections around the country yesterday, and crime was a critical issue in the campaigns in Virginia, and in New Jersey, and in New York City. The voters in each of those jurisdictions rejected the approach to crime that has been talked about today, that we can resolve the problem of crime by throwing money at it, and they want more action. We are not even throwing money at the

problem today. We are promising money sometime in the future and telling our State and local governments and the constituents that all of us represent that the check will be in the mail sometime later when we find the money to do it.

I think it is significant that the majority party has moved these bills to the floor today without waiting for the rescission bill that is being promised by the Clinton administration. I do not think we are going to see a penny of appropriations in these programs until the next fiscal year, which begins on October 1 of 1994. And there will be doubtless thousands of our citizens lying in the grave while Congress decides to find the money to fight crime. We should have done it before sending these bills to the floor.

We should get the message that the American people do not want promises anymore but want action.

Mr. Speaker, I yield such time as he may consume to the distinguished gentleman from Georgia [Mr. GINGRICH], the Republican whip.

Mr. GINGRICH. Mr. Speaker, let me say first of all that I regard today's activities as a great disappointment. The Democratic leadership had an opportunity to bring a serious, comprehensive crime bill to the floor. The Democratic leadership had an opportunity to schedule a debate and a vote, preferably with an open rule to allow Members to do something about violent crime, about rape, about crimes against women, about drug dealing, about all of the things that need to be dealt with in America today. Instead, for reasons I do not fully understand, the Democratic leadership decided to bring out a series of tiny little bills, trotting to the floor each without any money attached to it, each designed to provide a press release, one or two of them doing things that frankly are moderately useful. They are not harmful, but compared to the scale of the problem we face in America today, today's efforts by the Democratic leadership represent a disastrous failure of leadership. It represents an abandonment of the victims of crime. It represents a walking away from the problems of crime.

Now I must say it is ironic that the Democratic leadership decided to fail on the issue of crime the day after the country voted, because the message from yesterday was clear. Who won in New York City? The former prosecutor who promised to make New York safer, who has a track record of putting criminals in jail. What was the issue in Virginia? It was whether or not we would have a Governor in George Allen who is prepared to be tough on violent criminals. What was the only thing which preserved Florio's governorship and made him in contention? The fact that he had been very tough on crime.

What happened in Washington State, normally considered a fairly liberal

State? When a bill was brought up in Washington State where they had the initiative, and the voters can go past the professional politicians, and the voters can demand a vote, by 3 to 1 the people of the State of Washington passed an initiative which said if you are a three-time violent criminal, you are locked up for life. We are not going to put you back on the street. We are not going to trust you, and we are going to protect innocent Americans from violent criminals. And that is in a State that is normally regarded as the bellwether of liberal States.

The day after citizens across the country said they were tired of violent crimes, they were tired of drug dealers, they were tired of being afraid, we have this spectacle. No comprehensive crime bill, no effort to deal with an effective, believable death penalty, no effort to ensure that there are enough prisons, no effort to provide the money necessary to hire the policemen. Not just a press release, not just yes, it is a good idea, but here is how we are going to pay for the 50,000 policemen.

Mr. SCHUMER. Mr. Speaker, will the gentleman yield?

Mr. GINGRICH. I am glad to yield to the gentleman from New York.

Mr. SCHUMER. Mr. Speaker, is the gentleman aware of the rescission bill that has been drafted and will be on the House floor in the next few weeks?

Mr. GINGRICH. Yes, I am.

Mr. SCHUMER. Is the gentleman aware that is that bill is \$3.4 billion, the total amount necessary for funding the cop on the beat program?

Mr. GINGRICH. I am not aware of that.

Mr. SCHUMER. I bring that to the gentleman's attention.

Mr. GINGRICH. And you are going to vote for the rescission bill which provides the \$3.4 billion?

Mr. SCHUMER. I expect that I will. I have to read the details, but I expect to.

Mr. GINGRICH. That is helpful. But it is not attached to today's bill, am I right?

Mr. SCHUMER. If the gentleman would continue to yield, the gentleman knows darn well that we do authorizations on this bill in this committee, and that to then get the kind of cuts necessary, we cannot do it in the Judiciary Committee. It would slow down the bill, et cetera.

If this bill, the cops on the beat provision, is not funded within the next several months, the President has endeavored, unlike President Bush and President Reagan, to fund a program he believes in.

Mr. GINGRICH. Wait a second now, hold it. Let me just ask my friend from New York, is it not true that in the Clinton budget that was sent up, and in the Clinton preparation for next year's budget that in fact they are cutting law enforcement, that the only area

they dramatically cut in the White House was the Office of Drug Enforcement? Is it not true that there is less money for prisons in the Clinton program, and that they cut money out of the prison program?

Mr. SCHUMER. Will the gentleman yield?

Mr. GINGRICH. I am glad to yield to the gentleman from New York.

Mr. SCHUMER. The one that the gentleman mentioned, cuts in the Office of Drug Enforcement, those are the very same bureaucrats that the Republican bill wants to cut 5 percent. Those are not FBI agents, those are not DEA agents, those are not corrections officers. Those are the bureaucrats that 10 minutes ago or half an hour ago the gentleman who is well represented by his colleagues from Florida and Virginia said that is where the cuts ought to be made. And yet when the President makes them, they are no good.

Mr. GINGRICH. Let me say the President did not cut 5 percent. He wiped out.

Let me say second, I want to come back, is it not true in preparing for next year's budget the FBI and the prison program have both been told to expect serious cuts?

Mr. SCHUMER. If that happens, it would be fought. I have not heard that. So the gentleman must have better sources into the White House than I do.

Mr. GINGRICH. I have absolutely been told that is true, and those documents are in Justice right now, and they are being told by the Office of Management and Budget to expect cuts. And I believe it was back in the spring, I think the historic fact is that it was back in the spring that Clinton cut the prison program.

□ 1610

Mr. SENSENBRENNER. Mr. Speaker, will the gentleman yield?

Mr. GINGRICH. I yield to the gentleman from Wisconsin.

Mr. SENSENBRENNER. I thank the gentleman.

Also, last year, when President Bush was in office, I seem to recall that the Democratic budget which was passed by this House, cut \$140 million out of the law enforcement function and reallocated it elsewhere in the Federal budget.

Mr. GINGRICH. Let me make sure I understand my friend from Wisconsin. Last year, the Democrats in this House cut \$140 million out of law enforcement, is that correct?

Mr. SENSENBRENNER. As requested by President Bush; that is correct.

Mr. GINGRICH. That is, below President Bush's request.

Mr. SENSENBRENNER. That is correct.

Mr. GINGRICH. The President, President Bush was trying to spend \$140 million more on law enforcement than the Democrats in the House were willing to spend. Is that correct?

Mr. SENSENBRENNER. That is correct.

Mr. GINGRICH. Surely my good friend from New York [Mr. SCHUMER] did not vote for that.

Mr. SENSENBRENNER. I believe he did. But he can speak for himself.

Mr. GINGRICH. Did the gentleman vote for that?

Mr. SCHUMER. If the gentleman would yield, I do not know what bill the gentleman is referring to.

Mr. GINGRICH. I yield to the gentleman from Wisconsin for a reply.

Mr. SENSENBRENNER. The budget resolution last year.

Mr. SCHUMER. The budget resolution, if the gentleman will admit, had more money for law enforcement than the previous year. And that is why I voted for it. Let me just finish, if I may.

Mr. GINGRICH. I yield to my friend from Wisconsin for just a moment.

Mr. SENSENBRENNER. It was my time which I yielded to the gentleman from Georgia.

This was the budget resolution that the President sent to Congress in 1992. The Democrats cut \$140 million out of law enforcement and spent it elsewhere. Now, with this rescission bill, you know, I have been around here long enough, as has the gentleman from Georgia, to know that you do not pass one bill on the requirement that another bill passes.

I will be very surprised if this rescission bill to free up money for cops on the beat is on the President's desk by the time we adjourn prior to Thanksgiving. That is literally "the check is in the mail," and the people are sick of it.

Mr. MCCOLLUM. Mr. Speaker, will the gentleman yield?

Mr. GINGRICH. I yield to my friend from Florida.

Mr. MCCOLLUM. I thank the gentleman for yielding to me.

Mr. Speaker, it is my understanding from former Attorney General Barr, who came before our Republican committee hearing on this issue just this last Friday that the current budget cuts 10 percent out of law enforcement, that we are now operating under, and next year's budget will cut, it is anticipated, another 10 percent from the Clinton administration of the FBI, the DEA, et cetera. And I think that is a very accurate portrayal of what it does—10 percent this year, 10 percent next year, I do not know what is going to happen in the third year.

Mr. SCHUMER. Mr. Speaker, will the gentleman yield?

Mr. GINGRICH. I yield to the gentleman from New York.

Mr. SCHUMER. I thank the gentleman for yielding.

Two things: I have not heard a thing, and I think I will know when they are in pretty good shape to determine it. So, Attorney General Barr, the former Attorney General, as much as I respect

him, his speculation I do not think has a place here. What amazes me—what amazes me is here we have a President making a real endeavor to add \$3.4 billion for cops on the beat, and what do we hear from the other side? Not joining with us to end the gridlock, to get something real done; but rather, "Well, last year while President Bush was President, it didn't go up enough, it should have gone up another \$140 million," 3 percent of this \$3.4 billion. And what do we hear? We hear that here you have people on both sides of the aisle, very conservative Members, complaining that this \$3.4 billion should go to deficit reduction and not to cops on the beat, and the President is making a fight over it. And finally, what we hear from this side of the aisle is complaining about doing these kinds of things. Instead of saying, "Yes, these are good things, we will join you in getting an appropriation," because that is how the process works, instead of in the Senate saying, "Let's get that crime bill on the floor," they are filibustering. I would say to the good gentlemen here it seems to me, and it would seem to most observers that these folks are petrified that we are finally going to do something on crime and take the issue away.

Mr. GINGRICH. Let me reclaim my time.

Mr. SCHUMER. May I finish?

The SPEAKER pro tempore (Mr. DE LA GARZA). The gentleman from Wisconsin [Mr. SENSENBRENNER] controls the time; he has yielded as much time as the gentleman may consume to the gentleman from Georgia [Mr. GINGRICH].

Mr. GINGRICH. So that I may currently, temporarily, control the time.

The SPEAKER pro tempore. The gentleman from Georgia [Mr. GINGRICH] is consuming the time as allotted.

Mr. SENSENBRENNER. Mr. Speaker, will the gentleman yield to me?

Mr. GINGRICH. I yield to the gentleman from Wisconsin briefly.

Mr. SENSENBRENNER. I thank the gentleman for yielding.

Mr. Speaker, Vice President GORE's National Performance Review suggested that we save \$189 million in administrative expense by combining the FBI, the DEA, and the Bureau of Alcohol, Tobacco and Firearms. Attorney General Reno has rejected that.

So here is \$189 million that we could have spent on these programs that are basically being used to continue to finance duplication of services.

So we hear all kinds of things from the administration on the majority side; it would be helpful if they spoke out of one voice.

Mr. GINGRICH. Let me say unequivocally to my friend from New York [Mr. SCHUMER], and then I want to give other people a chance to talk, but I want to respond to the gentleman on a couple of points.

First, this is November 3. The bureaucracy is currently preparing the budget for next year. Somebody in the bureaucracy has told former Attorney General Barr what they are being asked to do by the Office of Management and Budget. I am inclined, based on the track record of the Clinton administration, to believe that the Office of Management and Budget has asked for a 10-percent cut in law enforcement because this administration is long on public relations and short on law enforcement.

Second, and I am surprised the gentleman has not been told by his staff, and if he checks, I am sure that Mr. Panetta would be glad to tell him what their current planning is for cutting the spending on FBI and on prisons and on drug enforcement.

Second, what we are trying to suggest to you, and I know this is a radical thought, that when most Americans—

Mr. SCHUMER. Would the gentleman yield for just a fact? I have just gotten some information.

Mr. GINGRICH. Let me just continue.

Mr. SCHUMER. The gentleman does not want to hear facts, just the rhetoric?

Mr. GINGRICH. I have been more than generous in yielding.

Let me just say, second, the point we are trying to drive home is that the American people would like to have an enforceable, believable death penalty. The American people would like to have violent juveniles treated as adults. When you have a bill coming up today, H.R. 3351, which moves the status of youthful offender in exactly the wrong direction, you now have 22-year-olds and I believe in your committee mark it was 26- or 28-year-olds who were going to be considered youthful. Now, I will tell you, a woman who has been the victim of a rape, the storekeeper who has been the victim of a shooting, the person who has been the victim of a mugging, the family who has survived their loved one getting killed, do not regard 22-year-olds and 26-year-olds and 28-year-olds as youthful. They regard them as dangerous.

I think it is exactly the wrong direction to keep extending the age of youth upward, instead of being much more tough on violent criminals.

Now, let me go further: We are suggesting—and the gentleman has plenty of time on his side, and he will get yielded to—we are suggesting to the Democratic leadership that the message from the American people is to bring a comprehensive serious crime bill to the floor. Let me give you just one example that I know is hard for some Democrats to understand. It does not do you any good to have more police if you do not build more prisons; and where Mr. McCOLLUM has suggested real leadership in suggesting regional

Federal prisons in an effort to collaborate with the States. It does not help to have more police pick up the same felon for the ninth time in a year so they can be run through the mill to be dropped out the back door of the prison, to go back on the street to do the same thing. We are trying on the Republican side to put all of it together, an enforceable, believable death penalty, treating all violent offenders as though they are dangerous, making sure we have enough prisons to lock up everybody who is violent, doing it in one package, along with more police on the streets, so that the system works. And we have had now stonewalling by the Democratic leadership, who shocked us a week ago when they dropped their plan to have a comprehensive crime bill and went with these series of sort of pygmy bills running across here, each of them tiny, interesting, and nice public relations gestures, but none of them big enough, strong enough, and serious enough to deal with violent criminals.

Let me yield to my friend—

Mr. SCHUMER. Will the gentleman yield?

Mr. GINGRICH. No.

Mr. WALKER. Mr. Speaker, can we have regular order?

The SPEAKER pro tempore. The time of the gentleman from Wisconsin [Mr. SENSENBRENNER] has expired.

Mr. BROOKS. Mr. Speaker, how much time do I have left?

The PRESIDENT pro tempore. The gentleman from Texas [Mr. BROOKS] has 18 minutes remaining.

Mr. BROOKS. Mr. Speaker, I yield 3 minutes to my distinguished friend, the gentleman from New York [Mr. SCHUMER].

Mr. SCHUMER. Mr. Speaker, might I address the minority whip? I have just heard from the White House. It is, once again, the minority whip is throwing facts around. This year's budget, according to Mr. Panetta, has an 8-percent increase in law enforcement and the \$3.4 billion for the baseline for cops on the beat.

I would add that, if you add those two things together, it is a greater increase in law enforcement than we have had in the last 4 years. Does the President, if that is true, deserve some plaudits for that?

Mr. GINGRICH. Mr. Speaker, will the gentleman yield?

Mr. SCHUMER. I yield to the gentleman from Georgia.

Mr. GINGRICH. I thank the gentleman for yielding.

Mr. Speaker, if it turns out the President has an 8 percent increase in Federal law enforcement and \$3.4 billion on cops on the street, I would be glad to hold a joint press conference with the gentleman and praise the President when he brings the budget up for having done something good, and that would be a good thing to do for America.

□ 1620

Mr. SCHUMER. I would say to the gentleman, Mr. Speaker, I will see him in the Gallery.

Let me just make a couple of other points, if I might, and I do not need too much time for them.

Again, and I would say this to the gentleman from Georgia, if he would look at the bill, the bill he was talking about—does the gentleman from Georgia want to learn what is in the bill he was talking about?

The bill he was talking about, which we just finished debating, deals not with reducing sentences on first-time nonviolent offenders. There is not a line in the bill that deals with that. If the gentleman thinks there is, let him read it and show it to me.

What it deals with is much of the problem, and it is not just in New York. It is in his city of Atlanta, where first-time offenders get no punishment now.

This is a grant program, assuming that the prisons are filled up, to help provide some kind of punishment other than a slap on the wrist.

I would say to the gentleman in the spirit in which he applauded the President before, if the facts we have given him are true, and I have every reason to believe they are true, he should be supporting this.

Now, I agree with the gentleman that we have much more to do.

My subcommittee will take up a death penalty bill next year, as the gentleman knows. We have done that in the past. We will try to get—I certainly will try to get more money for prisons, because as I said to the other side while they were here, we believe in both prevention and punishment.

Prevention can be tough. It can be the Brady bill to stop criminals from getting guns. It can be Cop On The Beat, and it can be drug treatment.

If the gentleman would see to it next year with his power and his position on his side of the aisle that the habeas corpus issue does not hold us up, as it has in the past, I think we can get all of that done.

I would say to the gentleman that perhaps we can begin together working on that, but I will tell the gentleman one thing.

The SPEAKER pro tempore (Mrs. UNSOELD). The time of the gentleman from New York [Mr. SCHUMER] has expired.

Mr. BROOKS. Madam Speaker, I yield 3 additional minutes to the gentleman from New York.

Mr. SCHUMER. Madam Speaker, I am not going to allow five programs or six programs, which the gentleman concedes are meritorious. Ask Mr. Juliani, who he mentioned, what he thinks of Cops On The Beat, drug treatment in the prisons, early incarceration, and this bill we are debating. He likes them all. He has talked about

them, to see those held up until we can come to agreement on the rest.

Mr. GINGRICH. Madam Speaker, will the gentleman yield?

Mr. SCHUMER. I am happy to yield to the gentleman from Georgia.

Mr. GINGRICH. On page 9 of the gentleman's bill, which I did look at, I believe in the original version they extended young offender to 28 years. Now it is extended to 22.

I am simply suggesting that is not what most Americans, and particularly victims, think of as young offenders. I think that is the wrong direction.

Mr. SCHUMER. Reclaiming my time, Madam Chairman, what I would say to the gentleman is that is not a reduction in jail time, and only these offenders, whether they be 18 or 15 or 13 or 19 or 22, if they commit a violent crime, if they commit a serious crime, their State laws will not put them in this program. This deals with the kid who breaks a window.

If the gentleman would like to be educated on this issue, this deals with when a kid breaks a window. This deals with when a kid commits a minor low-level crime, and right now gets no punishment at all.

It is a grant program. It does not reduce the sentence, because that is State law.

If the gentleman thinks that the whole reason not to have these programs is so they will deal only with 17-year-olds who commit these, rather than 19-year-olds, who have a disagreement.

Mr. GINGRICH. Madam Speaker, will the gentleman yield further?

Mr. SCHUMER. I am happy to yield to the gentleman from Georgia.

Mr. GINGRICH. I just want to make two points. On page 2 of the gentleman's bill, it says, "Alternative methods to punishment to traditional forms of incarceration."

Mr. SCHUMER. And probation.

Mr. GINGRICH. And second, everywhere in America people plea bargain for violent crimes down to misdemeanors, and this allows a person who has plea bargained for a violent crime to have an alternative to incarceration at 22 years of age. We just disagree about whether that is a good idea.

Mr. SCHUMER. Madam Speaker, reclaiming my time, * * * Listen on the television there.

Mr. WALKER. Madam Speaker, I demand the gentleman's words be taken down.

The SPEAKER pro tempore (Mrs. UNSOELD). The gentleman will suspend.

Does the gentleman ask unanimous consent to proceed?

Mr. SCHUMER. Madam Speaker, I ask unanimous consent to proceed.

Mr. WALKER. Madam Speaker, I object. I asked that the gentleman's words be taken down.

The SPEAKER pro tempore. The Clerk will report the words.

Mr. SCHUMER. Madam Speaker, I will withdraw the words that the gentleman left for the Cloakroom. I will withdraw those words.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

Mr. WALKER. Madam Speaker, that does not fully cover what the problem is in terms of the words.

Madam Speaker, the Clerk will report the words.

Mr. SCHUMER. Madam Speaker, I withdraw all objectionable words. I would like to debate the issue here and not again get into procedural side-track.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

Mr. CUNNINGHAM. Reserving the right to object, Madam Speaker, the idea is that the gentleman impugned the integrity of our minority leader.

Mr. SCHUMER. Madam Speaker, I had no intention to impugn the integrity of the gentleman.

Mr. WALKER. Madam Speaker, what are we doing here? I demanded that the words be taken down. I do not understand. There cannot be debate after that.

The SPEAKER pro tempore. The Chair had understood the gentleman to have made a unanimous consent request.

Mr. WALKER. Well, I did not hear the unanimous consent request.

The SPEAKER pro tempore. The Clerk will report the words.

Mr. SCHUMER. If I may proceed, Madam Speaker.

The SPEAKER pro tempore. No.

Mr. WALKER. The gentleman cannot proceed.

The SPEAKER pro tempore. The gentleman will suspend.

The Clerk will report the words.

□ 1630

The SPEAKER pro tempore (Mrs. UNSOELD). The Clerk will report the words.

The Clerk read as follows:

"Once again the gentleman states something fallacious and then rushes away. The gentleman is in the Cloakroom."

The SPEAKER pro tempore. Does the gentleman from New York [Mr. SCHUMER] ask unanimous consent to withdraw the words?

Mr. SCHUMER. I do, Madam Speaker.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

The SPEAKER pro tempore. The gentleman from New York [Mr. SCHUMER], may proceed.

Mr. SCHUMER. Madam Speaker, I appreciate the courtesy of the other side so we can continue the debate.

The point I was making is a very simple one, that there is nothing in

this bill that reduces sentencing. What it simply does, very simply, is in cities like the gentleman from Georgia's in Atlanta and like mine where the system is overloaded—

The SPEAKER pro tempore. The time of the gentleman from New York [Mr. SCHUMER] has expired.

Does the gentleman from Texas [Mr. BROOKS] yield an additional 30 seconds to the gentleman from New York?

Mr. BROOKS. Yes, Madam Speaker.

The SPEAKER pro tempore. The Chair recognizes the gentleman from New York [Mr. SCHUMER].

Mr. SCHUMER. So, what I am saying, Madam Speaker, very simply is in those cities, rather than have no punishment at all, these punishments are appropriate, and in places like Georgia and like Quincy, MA, they have worked. We ought to begin to use them.

Mr. BROOKS. Madam Speaker, I yield 3 minutes to the distinguished gentleman from New Jersey [Mr. HUGHES], chairman of the Subcommittee on Intellectual Property and Judicial Administration.

Mr. HUGHES. Madam Speaker, I just hope we can reduce the rhetoric and move on because I realize there is a certain amount of disappointment that we do not have a comprehensive crime bill. I want to tell my colleagues that it does not break my heart that we do not have a comprehensive crime control bill because I have seen good measures go down the tube because of comprehensive crime control bills. As my colleagues know, this practice started about a decade ago when the Senate, the other body, put together a whole host of their bills and tacked on four or five of our bills, and we called it comprehensive. Well, the danger with that is that one controversial provision like habeas corpus will take down the drain every other provision of the bill.

As my colleagues know, we had 200-plus pages of crime legislation in the last Congress. What happened to it? Well, some Republican in the other body filibustered it to death, and every provision in that bill, many of which we worked long and hard to put in the bill, went down the drain. So, here we are over a year later, and we still do not have those measures that were noncontroversial as a matter of law.

So, Madam Speaker, now what we need to do is work together. My colleagues have made their point that we do not have a comprehensive crime control bill. But we have individual provisions which, when put together, will be a mosaic of a comprehensive crime control bill. Now what we need to do is work to get them out of subcommittee, and to full committee, to the floor, and that is what this Member wants to do, and I presume, I say to my colleagues, "That's what you want to do unless you want to talk it to death for the balance of this evening."

Mr. CUNNINGHAM. Madam Speaker, will the gentleman yield?

Mr. HUGHES. I yield to the gentleman from California.

Mr. CUNNINGHAM. Madam Speaker, I think our point is that the items that were brought up today, there is probably very seldom that I would vote along with the gentlewoman from Colorado [Mrs. SCHROEDER] but such things as the woman's crime and some of the more controversial stuff was not brought up today, and the things that we talked about today do not have that much substance.

Mr. HUGHES. Madam Speaker, I say to my distinguished colleague, the gentleman from California [Mr. CUNNINGHAM] I am very disappointed there are a lot of provisions in this that I worked very hard for in the last Congress that are not in these five bills we are debating tonight, but look. They have been sent to subcommittee. It is because we could not get the votes for a comprehensive crime control bill. But we can get the votes for the bills individually, move them out of the Congress, and that is what we are trying to do.

There were dozens and dozens of bills, and I suspect my colleague, the gentleman from California, would support them. There are dozens and dozens of provisions that I am sure the House will work their will and pass. But unfortunately the distinguished chairman of the committee could not get the votes. He took the better part of, and here it is November, the better part of the year attempting to put it together. It was not there. So now we are trying to move the provisions individually.

Madam Speaker, I suspect my colleague from California supports the bills we are debating.

Mr. CUNNINGHAM. Madam Speaker, will the gentleman yield briefly?

Mr. HUGHES. I yield to the gentleman from California.

Mr. CUNNINGHAM. Madam Speaker, I am not here to debate the future bills, but what we are looking at here today, and that was my only point, that I think we could have brought up some more things—

Mr. HUGHES. Reclaiming my time, Madam Speaker, I suspect my colleague from California, even though he is debating the issue, is going to vote for every one of them.

Mr. CUNNINGHAM. Not necessarily.

Mr. HUGHES. Well, I want to tell my colleague that I will be very surprised if my colleague from California does not register an aye vote for every one of these bills, and so will most Members on that side of the aisle.

So, let us get on with the business at hand.

Mr. BROOKS. Madam Speaker, I yield 2 minutes to the distinguished gentleman from Austin, TX [Mr. PICKLE] a member of the Committee on Ways and Means.

Mr. PICKLE. Madam Speaker, I rise to support this legislation to provide for safer streets and neighborhoods for our citizens. I want to thank Chairman BROOKS and the committee for doing yeoman's work on moving this important bill forward.

Madam Speaker, the first responsibility of government is to safeguard the lives and property of the citizenry. That's the No. 1 job. If a person doesn't feel that he or she or his or her children are safe in their home or in their car or in their neighborhood, no other part of that person's life will be truly happy or satisfying.

There was a time a short while ago that my hometown of Austin was a quiet, little university town. Those days are gone. Now, scarcely a week goes by where we don't read about a gang-related drive-by shooting or a drug deal gone sour that results in a homicide.

Virtually every criminologist, prosecutor, or beat cop will tell you that the No. 1 thing driving our violent crime problem in this Nation is drugs. In my home State of Texas, 80 percent of every inmate in the State prison system are there on drug-related charges or were under the influence of drugs when arrested.

Like most Members, I have strongly supported building more prisons and in fact our State is in the middle of a huge prison building program. Just yesterday, in Texas, we passed another billion dollar bond issue to build more jail facilities.

But we in Texas are trying to truly solve the problem. We have developed a comprehensive program of drug treatment while in prison to cut off the vicious cycle of crime and drug use. Just south of my district in Kyle, TX, we have a program that has been hailed by law enforcement professionals, crime victim organizations, psychologists, news organizations and others all over the country for its effectiveness. It forces prison inmates who have a substance abuse problem to undergo tough, long-term drug treatment before they are released.

So far, the results are phenomenal, and there is almost no incidence of people who have gone through the system falling back into their criminal ways. Our State is currently spending more on this than any other State in the Nation, but we need help. This program works, but it needs more resources. That is why I urge my colleagues to support the measure before us today, H.R. 3354.

We all pay a lot of lip service to wanting to do something to really fight crime. We talk the talk, now it is time to walk the walk.

Mr. BROOKS. Madam Speaker, how much time is remaining?

The SPEAKER pro tempore. The gentleman from Texas [Mr. BROOKS] has 6 minutes remaining, and the gentleman

from Wisconsin [Mr. SENSENBRENNER] has no time remaining.

Ms. LAMBERT. Madam Speaker, I rise today in strong support of the tremendous efforts by the Judiciary Committee, Chairman BROOKS, Chairman SCHUMER, and others in regards to the collective anticrime bills that are before us today. I am especially pleased that the committee reached compromises on these bills that will help ensure safety for rural America.

The idyllic picture of rural America that depicts the little white house surrounded by a white picket fence and children happy at play is soon to be a picture of the past if we do not take immediate action. FBI crime figures indicate that the violent crime rate in America between 1991 and 1992 grew faster in rural areas at a rate of plus 7.2 percent than in urban areas at a rate of plus 2.2 percent. Small towns are now having to face the problems of weapons in schools, the increased amount of drug use, and the continued presence of gangs that have spread from urban to rural areas.

We, as legislators, have a duty to ensure the safety and protection of all Americans. Therefore, in order to address the growing amount of violent crime in our Nation, I respectfully ask my colleagues to join in the effort to fight violent crime in our Nation by paying attention to the truly worthwhile anticrime legislation before us today.

Mr. BROOKS. Madam Speaker, I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Texas [Mr. BROOKS] that the House suspend the rules and pass the bill, H.R. 3354.

The question was taken.

Mr. BROOKS. Madam Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 5, rule I, and the Chair's prior announcement, further proceedings on this motion will be postponed.

CIVIL RULES AMENDMENTS ACT OF 1993

Mr. BROOKS. Madam Speaker, I move to suspend the rules and pass the bill (H.R. 2814) to permit the taking effect of certain proposed rules of civil procedure, with modifications.

The clerk read as follows:

H.R. 2814

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Civil Rules Amendments Act of 1993".

SEC. 2. MODIFICATION OF PROPOSED AMENDMENTS.

The proposed amendments to the Federal Rules of Civil Procedure which are embraced by an order entered by the Supreme Court of the United States on April 22, 1993, shall take effect on December 1, 1993, as otherwise provided by law, but with the following amendments:

(1) RULE 26.—

(A) IN GENERAL.—Proposed rule 26(a) is amended so that paragraph (1) reads as follows:

"(1) INSURANCE AGREEMENTS.—A party may obtain discovery of the existence and contents of any insurance agreement under which any person carrying on an insurance business may be liable to satisfy part or all of a judgment which may be entered in the action or to indemnify or reimburse for payments made to satisfy the judgment. Information concerning the insurance agreement is not by reason of disclosure admissible in evidence at trial. For purposes of this paragraph, an application for insurance shall not be treated as part of an insurance agreement."

(2) CONFORMING AMENDMENTS.—(A) Proposed rule 26(a)(2) is amended by striking "In addition to the disclosures required by paragraph (1), a" and inserting "A".

(B) Proposed rule 26(a)(3) is amended by striking "the preceding paragraphs" and inserting "paragraph (2)".

(C) Proposed rule 26(a)(4) is amended by striking "(1) through" and inserting "(2) and".

(D) Proposed rule 26(f) is amended by striking "to make or arrange for the disclosures required by subdivision (a)(1)."

(E) Proposed rule 26(g)(1) is amended by striking "subdivision (a)(1) or".

(3) RULE 30.—

(A) IN GENERAL.—Proposed rule 30(b)(2) is amended by striking "Unless the court orders otherwise, it may be recorded by sound, sound-and-visual, or stenographic means, and the" and inserting "Unless the court upon motion orders, or the parties agree in writing to use, sound or sound-and-visual means, the deposition shall be recorded by stenographic means. The".

(B) CONFORMING AMENDMENT.—Proposed rule 30(b) is amended by striking paragraph (3).

(4) FORM 35.—Proposed form 35 is amended—

(A) by striking paragraph (2); and

(B) by redesignating paragraphs (3) and (4) as paragraphs (2) and (3).

□ 1640

The SPEAKER pro tempore (Mrs. UNSOELD). Pursuant to the rule, the gentleman from Texas [Mr. BROOKS] will be recognized for 20 minutes, and the gentleman from North Carolina [Mr. COBLE] will be recognized for 20 minutes.

The Chair recognizes the gentleman from Texas [Mr. BROOKS].

Mr. BROOKS. Madam Speaker, I yield myself such time as I may consume.

Madam Speaker, H.R. 2814 amends changes to the Federal Rules of Civil Procedure as transmitted to the Congress by the Supreme Court on April 22, 1993. The Supreme Court also transmitted amendments to Federal rules relating to evidence, bankruptcy procedure, criminal procedure, and appellate procedure. All of these changes were considered through the Courts' advisory process beginning in 1991.

Congress has the responsibility under the Rules Enabling Act to scrutinize carefully all rules changes proposed by the judicial conference and transmitted to us by the Supreme Court—and to make modifications or deletions when appropriate. This year, the Supreme Court transmitted changes to 40 Fed-

eral Rules of Civil Procedure. H.R. 2814—which amends two of them—reflects limited but important alterations in the proposed rules. The bill eliminates the provision requiring mandatory disclosure of documents and witnesses and maintains the existing rule providing for stenographic depositions in the normal course. The legislation thus maintains the current core structure of discovery—while allowing experimentation at the local level.

I am concerned, however, about the addition in the proposed rules of presumptive numerical limits on depositions and interrogatories in civil cases. I do not believe that an arbitrary number which applies across the board—from a simple negligence action to a complex antitrust suit—effectively furthers the interests of justice. It may in fact increase the level of judicial resources expended in a case by requiring a hearing on whether the 11th or 12th or 13th deposition will be permitted. Nevertheless, with a December 1 statutory deadline for enactment looming, we are moving the legislation ahead today as reported. If the other body decides to address this issue in a different manner, I hope the House will seriously consider following suit.

I appreciate the outstanding work of Congressman BILL HUGHES, chairman of the Subcommittee on Intellectual Property and Judicial Administration, and Congressman CARLOS MOORHEAD of California, the ranking subcommittee member, for their cooperation in processing this legislation promptly so that the Congress can meet the December 1 statutory deadline for enactment.

Madam Speaker, I reserve the balance of my time.

Mr. COBLE. Madam Speaker, I yield myself such time as I may consume.

Madam Speaker, I rise in support of H.R. 2814, a bill to prevent certain changes from taking effect regarding the Federal Rules of Civil Procedure.

Madam Speaker, I yield such time as he may consume to the gentleman from California [Mr. MOORHEAD].

Mr. MOORHEAD. Madam Speaker, I rise in support of H.R. 2814, a bill to prevent certain changes from taking effect regarding the Federal Rules of Civil Procedure. I would like to commend the Judiciary Committee chairman, the gentleman from Texas [Mr. BROOKS] and the ranking member, the gentleman from New York [Mr. FISH] and the subcommittee chairman, the gentleman from New Jersey [Mr. HUGHES] for the prompt processing of H.R. 2814.

As has been pointed out, the changes recommended in rule 26(A)(1), the rule governing the use of discovery, would amount to a very substantial change in present law and practice. So much so, that almost every lawyer and trade association in the country strongly opposed these changes, but the one thing

that stood out in my mind was the fact that the Judiciary Committee processed the Civil Justice Reform Act of 1990 which required Federal district courts around the country to draft plans to experiment with new ideas to try to reduce the costs and delays associated with civil litigation. These plans have to be completed by December of this year. Forty-one districts have their plans in place and 23 districts plans include some form of discovery experiment. And in December 1995 they will report back to Congress the results of these experiments. I believe that before we impose any major change in the use of discovery we first review the findings of these district courts.

In conclusion Mr. Speaker, in a perfect world, what we would hope for is a fair and inexpensive determination to every legal dispute. We presently have delay, caused by rising caseloads and insufficient support services. We have spiraling costs caused by litigation expenses and attorneys fees. We have inconsistent decisions, caused by pressures placed on judges who must cope with the torrent of litigation.

These conditions may sound hopeless but they are not. The Judiciary Committee has been working on these problems for some time and I believe by the end of this decade we will have turned these conditions around.

I urge a favorable vote on H.R. 2814.

Mr. BROOKS. Madam Speaker, I yield 8 minutes to the distinguished gentleman from New Jersey [Mr. HUGHES], the chairman of the Subcommittee on Intellectual Property and Judicial Administration.

Mr. HUGHES. Madam Speaker, I rise in support of the Civil Rules Amendments Act of 1993. I believe my colleagues know that the cost of obtaining legal assistance in our society is often beyond the means of many of our constituents. Reducing the cost of litigation should be a priority of all of us.

The Supreme Court, as part of its responsibility for constructive change under the Rules Enabling Act, transmitted certain amendments to the Federal Rules of Civil Procedure to the Congress on April 22, 1993. Under the mechanism established by the Congress in the Rules Enabling Act, these proposed amendments will become law on December 1, 1993, unless the Congress acts to change them.

Initially, I would like to applaud this monumental effort and compliment those in the judiciary, the academic community, and the bar who participated in the long and arduous process which preceded the Supreme Court's action.

I do not—and let me emphasize this—I do not want to in any way limit future innovation by the Judicial Conference by what we may do here today. Instead, Congress, by proposing minimal modifications to these proposed rules changes, will be following our recent precedent of only occasionally

interjecting ourselves in the rule-making process, and then in a limited fashion.

However, after reviewing the extensive record of these proposed rules and our hearing on June 16, 1993, I believe we should make some changes to proposed rule XXVI(a)(1) dealing with the disclosure process, and to that part of rule XXX, which provides the means of taking depositions. These changes are incorporated in H.R. 2814.

RULE XXVI (a)(1)

Rule XXVI governs most of the Federal discovery process, and the present system has been the target of widespread criticism. I agree with much of this criticism. The U.S. Judicial Conference, in an attempt to streamline the discovery process, has proposed new rule XXVI(a)(1), which calls for mandatory disclosure of matters "pleaded with particularity." Champions of the proposed rule believe that it will avoid the unnecessary expenses that are the hallmark of the discovery process as it stands today.

Opponents, however, including the vast majority of those who have commented on this section, feel that mandatory disclosure is anathema to the adversarial process and will compromise the attorney-client privilege. They also feel that the standard; that is, pleaded with particularity, is too vague and will only increase the discovery burdens of the system instead of reducing them. They feel that a change of this nature should be taken with extreme caution. I and the Committee on the Judiciary believe these objections have merit.

We also believe that during the period of local experimentation mandated under the Civil Justice Reform Act of 1990, it would be premature to change the Federal Rules of Civil Procedure to establish any particular procedure for mandatory, early disclosure. Whether such procedures should be implemented on a local basis should be left to each district court.

H.R. 2814 deletes most of rule XXVI(a)(1), and we will look to the future for more empirical data on these procedures as provided for in the Civil Justice Reform Act of 1990.

RULE XXX

Since 1970, rule XXX has permitted depositions to be recorded by nonstenographic means, but only upon court order or with the written stipulation of the parties. The proposed changes in rule XXX(b) would alter that procedure by eliminating the requirement of a court order or stipulation and affording each party the right to arrange for recording of a deposition by nonstenographic means.

Testimony at our hearing raised concerns about the reliability and durability of video or audio tape alternatives to stenographic depositions. There also was information submitted suggesting that technological improvements in

stenographic recording should make the stenographic method more cost-effective for years to come. Depositions recorded stenographically historically have provided an accurate record of testimony which can conveniently be used by both trial and appellate courts. In addition, the certification of accuracy by an independent and unbiased third party is an important component of the present policy on depositions.

The case has not been made yet for unilateral decisions on the use of non-stenographic recording of depositions. H.R. 2814 retains the rule that non-stenographic recording of depositions is authorized only when permitted by court order or stipulation of the parties.

In this limited fashion, H.R. 2814 will make these appropriate changes to the proposed rules changes.

I also would like to speak briefly on Chairman BROOK's concerns on the proposed limitations on interrogatories and depositions.

Mr. Speaker, initially I will admit that I also questioned whether the presumptive limits on the number of depositions and interrogatories contained in proposed rule XXX(a)(2)(A) and XXXI(a)(2)(A)—10 depositions—and XXXIII(a)—25 interrogatories—would be appropriate if we deleted rule XXVI(a)(1).

After studying this matter closely, however, and discussing it with representatives of the U.S. Judicial Conference, I believe these are appropriate changes when read in context with the provisions allowing for local rules changes under rule XXVI(b)(2) and rule XXVI(f), which requires an early meeting of the parties on discovery issues.

There is no question in my mind that the discovery process is being abused in some cases, and I believe that the parties' agreement under XXVI(f) and the court's early involvement in the process under rule XVI is crucial to cost savings and good court management.

The basic objective of this rules change is to emphasize that all counsel have a professional obligation to develop a mutual cost-effective plan for discovery in such cases. Consideration of all these factors should be given early at the planning meeting of the parties under rule XXVI(f) and at the time of a scheduling conference under rule 16(b).

I would also state that experience in over half of the district courts has indicated that limitations on the number of interrogatories are useful and manageable. A study by the Federal Judicial Center of those courts indicates that 73 percent of the attorneys who responded to a poll in these districts state that limiting interrogatories, " * * * exerts worthwhile control on * * * discovery." I would also say that there are similar limitations in many State court systems, for example, in the State courts of Texas.

In my contacts with the U.S. Judicial Conference, they state that:

First, in the majority of cases the presumptive limits are not exceeded; and

Second, in other cases, the amendments will require an attorney to stop and think whether additional interrogatories or depositions are really necessary. At that time, the attorney is required to articulate the reason to a judge unless the parties stipulate.

I would also say that the Department of Justice favors the presumptive limits on discovery proposed in these rules.

I believe these presumptive limits will in most cases not be a hindrance, and in the complicated cases these limits will bring the parties together in order to make a constructive, early disposition of the discovery process.

I urge my colleagues to support H.R. 2814.

□ 1650

Mr. MOORHEAD. Madam Speaker, I yield such time as he may consume to the gentleman from New York [Mr. FISH].

Mr. FISH. Madam Speaker, I rise in support of H.R. 2814, and want to commend my colleagues and the leadership of the committee for scheduling this legislation.

Madam Speaker, I rise in support of H.R. 2814. I too would like to commend the chairman of the Judiciary Committee and the chairman of the subcommittee for their prompt scheduling of this legislation. I also would like to recognize their hard work and leadership and that of the gentleman from California, [Mr. MOORHEAD] a cosponsor of H.R. 2814.

The gentleman from California mentioned the Civil Justice Reform Act of 1990. I was an original cosponsor of that legislation along with the gentleman from Texas [Mr. BROOKS]. The goals of that new law are to cut cost and delay in civil litigation by experimenting with new ideas and then reporting back to Congress in 1995 the results of those experiments.

I believe the committee is correct in waiting to see how some of these experiments turn out before we make major changes such as have been recommended by the Judicial Conference regarding the use of discovery.

Given the pressures that a litigious society such as ours continues to place on the administration of justice in the Federal courts, it's important that Congress recognizes the pressing need for procedural reform. Our system of justice, albeit the best in the world, costs too much and it takes too long. We need to find new ways to reduce cost and delay; we need an inexpensive, expedited discovery process. We need firm trial dates, and in my opinion we need to expand the use of alternative dispute resolution mechanisms. I believe the Civil Justice Reform Act of 1990 will play a major part in accomplishing these goals.

Madam Speaker, H.R. 2814 is consistent with that legislation; I too urge a favorable vote, and yield back the balance of my time.

Mr. HYDE. Madam Speaker, rule XXX(b) of the Federal Rules of Civil Procedure requires

a stipulation by the parties or an order of the court to take a deposition by nonstenographic methods.

The Supreme Court proposed changing rule XXX(b) of the Federal Rules of Civil Procedure to allow parties to record deposition testimony by nonstenographic means without having to obtain permission of the court or agreement from other counsel. The rule change was proposed after extensive testimony and exhaustive discussion of the merits of electronic recording.

The Judiciary Subcommittee on Intellectual Property and the Administration of Justice held a hearing on the proposed changes to the Rules of Civil Procedure. Unfortunately, they only heard individuals who were opposed to the rule change. At that time, they were unable to locate witnesses in support of the rule.

Consequently, the bill before us deletes the suggested change, instead keeping to the current rule that "unless the court upon motion orders, or the parties agree in writing to use, sound or sound-and-visual means, the deposition shall be recorded by stenographic means."

The Advisory Committee recognized that "sound" and "sound-and-visual" technologies are already in use in courtrooms and for administrative agency hearings throughout the United States to provide the official record of proceedings. Of the 1,200 Federal courtrooms, including Federal magistrate, bankruptcy and district courts, over 500 currently use electronic audio recording. Additionally, they felt, as do I, that significant cost savings could result from the proposed change to rule XXX(b).

The next time the Supreme Court proposes changing rule XXX(b), I would hope that this issue will be examined in a more balanced manner and in greater detail.

Mr. MOORHEAD. Madam Speaker, I have no further requests for time, and I yield back the balance of my time.

Mr. BROOKS. Madam Speaker, I have no further requests for time, and I yield back the balance of my time.

The SPEAKER pro tempore (Mrs. UNSOELD). The question is on the motion offered by the gentleman from Texas [Mr. BROOKS] that the House suspend the rules and pass the bill, H.R. 2814.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

GENERAL LEAVE

Mr. BROOKS. Madam Speaker, I ask unanimous consent that all Members shall have 5 legislative days in which to revise and extend their remarks on the several crime bills just considered or passed.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

RE-REFERRAL OF S. 1284, THE DEVELOPMENTAL DISABILITIES ASSISTANCE AND BILL OF RIGHTS ACT OF 1993

Mr. DINGELL. Madam Speaker, I have a unanimous consent request that has been cleared by the chairman of the Committee on Education and Labor and by the minority.

Madam Speaker, I ask unanimous consent that the Senate bill, S. 1284, the Developmental Disabilities Assistance and Bill of Rights Act of 1993, be rereferred from the Committee on Education and Labor to the Committee on Energy and Commerce.

The SPEAKER pro tempore (Mrs. UNSOELD). Is there objection to the request of the gentleman from Michigan? There was no objection.

PROVIDING FOR CONSIDERATION OF H.R. 2151, MARITIME SECURITY AND COMPETITIVENESS ACT OF 1993

Mr. MOAKLEY. Madam Speaker, by direction of the Committee on Rules, I call up House Resolution 289 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 289

Resolved, That at any time after the adoption of this resolution the Speaker may, pursuant to clause 1(b) of rule XXIII, declare the House resolved into the Committee of the Whole House on the State of the Union for consideration of the bill (H.R. 2151) to amend the Merchant Marine Act, 1936, to establish the Maritime Security Fleet program, and for other purposes. The first reading of the bill shall be dispensed with. General debate shall be confined to the bill and shall not exceed one hour equally divided and controlled by the chairman and ranking minority member of the Committee on Merchant Marine and Fisheries. After general debate the bill shall be considered for amendment under the five-minute rule. It shall be in order to consider as an original bill for the purpose of amendment under the five-minute rule the amendment in the nature of a substitute recommended by the Committee on Merchant Marine and Fisheries now printed in the bill. Each section of the committee amendment in the nature of a substitute shall be considered as read. Points of order against the committee amendment in the nature of a substitute for failure to comply with clause 5(a) of rule XXI are waived. At the conclusion of consideration of the bill for amendment the Committee shall rise and report the bill to the House with such amendments as may have been adopted. Any Member may demand a separate vote in the House on any amendment adopted in the Committee of the Whole to the bill or to the committee amendment in the nature of a substitute. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions.

The SPEAKER pro tempore. The gentleman from Massachusetts [Mr. MOAKLEY] is recognized for 1 hour.

Mr. MOAKLEY. Madam Speaker, for the purpose of debate only, I yield 30

minutes to the gentleman from Tennessee [Mr. QUILLEN], pending which I yield myself such time as I may consume. During consideration of this resolution, all time yielded is for the purpose of debate only.

Madam Speaker, House Resolution 289 is an open rule providing for the consideration of the Maritime Security and Competitiveness Act. The rule provides for 1 hour of general debate to be equally divided and controlled by the chairman and ranking minority member of the Merchant Marine and Fisheries Committee.

The rule also waives clause 5(a) of rule XXI against the committee substitute printed in the bill as original text.

This waiver is necessary because of a provision contained in section 408 of the bill which concerns the transfer of funds from the Operating Differential Subsidy Program when it expires.

Madam Speaker, this legislation is the result of hard work and close coordination between Chairman STUDDS and the ranking minority member of the committee, the gentleman from Texas [Mr. FIELDS].

I would like to commend their hard work together in crafting this legislation which is so important to our country's maritime industry.

Madam Speaker, it is no secret to any Member of this House that America's maritime presence in the world has been in decline for some time. But Mr. Speaker, we must not let this decline continue.

We need a strong U.S.-flagged merchant marine for military support in times of war and for support of U.S. trade in times of peace. This legislation is an important first step toward restoring America's maritime presence.

The programs established by the enactment of H.R. 2151 will allow U.S. merchant ship operators to once again be competitive in the international maritime industry. This bill reflects the reality that real change is needed now in order to save the U.S. merchant fleet from extinction.

Finally, Madam Speaker, I would like to point out that under this open rule any Member who has a germane amendment to the bill may offer it.

I urge adoption of this rule and adoption of the bill.

Madam Speaker, I reserve the balance of my time.

□ 1700

Mr. QUILLEN. Madam Speaker, I yield myself such time as I may consume.

Madam Speaker, as the distinguished chairman of the Committee on Rules, Mr. MOAKLEY, has explained, this is an open rule and I urge its adoption.

This open rule will allow Members to fully participate in the amendment process and will permit H.R. 2151 to

have a full and fair debate. I am impressed with the bipartisan spirit of cooperation which exists on the Merchant Marine Committee. I know that this bill is the product of the work of both the majority and minority Members of that committee, and I commend the committee for bringing this bill to the floor.

The debate on maritime reform legislation is long overdue. I have thoroughly reviewed H.R. 2151, the Maritime Security and Competitiveness Act, and I will vote for that bill. I will also vote against any amendments to the bill not endorsed by the leadership of the Merchant Marine and Fisheries Committee.

What does H.R. 2151 seek to accomplish? It is an authorization bill designed to give government support to a privately owned commercial fleet of militarily useful vessels flying the American flag. Section 401 of the bill reads:

The Secretary of Transportation shall establish a fleet of active commercial vessels to enhance seafight capabilities and maintain a presence in international commercial shipping of United States documented vessels.

The bill provides the ships and the men to serve as a naval auxiliary in time of war or national emergency. We cannot permit our national security to be placed at the mercy of foreign seamen on foreign-owned, foreign-flagged vessels. Even with near unanimous global support, the crews of some foreign flag vessels refused to carry war material into the Persian Gulf during the war.

This measure will provide employment for American merchant mariners—civilians who have proven their dedication and patriotism by their actions in every war which has threatened the well-being of the United States. Contrary to recent ill-informed statements, there is no recorded instance of any American merchant mariner refusing duty on a vessel during the gulf war.

The bill prevents the U.S. from becoming dependent on foreign flag vessels manned by foreign nationals for our imports and exports. This will protect American consumers and producers from foreign shipping dominance of our international trade.

H.R. 2151 improves the operating efficiency of the maritime security fleet

by removing outmoded trade route restrictions, and it improves upon the current system of the ship mortgage and vessel financing system. The measure also stimulates a modest shipbuilding program by authorizing payments to American shipyards engaged in the construction of similar types of vessels. The U.S. must maintain a pool of skilled and experienced shipyard workers.

Madam Speaker, this bill seeks to amend and improve upon the Merchant Marine Act of 1936. That act expanded the U.S.-flag merchant marine and strengthened the shipbuilding capacity of the United States.

It is not an exaggeration to say—and I have said it before on many occasions—that without the ships built and the merchant mariners trained with government support provided by the Merchant Marine Act of 1936, the Western democracies would have lost World War II.

Those Members from districts along the Atlantic coast from Florida to Maine should know of the terrible battle fought during that war just offshore by the German U-boats against our merchant marine. Hundreds of vessels and thousands of lives were lost. President Roosevelt understood, as did the Axis Powers, that if our merchant marine was destroyed, we would be unable to protect our allies and serve as the great arsenal of democracy.

Madam Speaker, we are fortunate. With minor but tragic exceptions, this country is not engaged in major military operations anywhere in the world. 1993 was—and I hope 1994 will be—a year of general peace. Regrettably, I hear the same arguments today that were used against the 1936 act—that the United States didn't need a merchant marine; that we could save money by transporting goods on foreign flag vessels; that we could rely upon foreign flag ships when we need them. If the Members of Congress in 1936 had listened to the critics of the merchant marine, we would not have had the ships and the men to secure victory in World War II.

What will happen to our allies if the ethnic and religious persuasion of crewmembers of foreign flag vessels carrying military cargo causes the crewmembers to refuse to work?

I am sure we will hear the same tired old arguments to do away with the ship American provisions of the 1936 act that we have heard before. I caution the younger Members of this House to read their history before they vote to reduce the modest amount of cargo which the law requires to be carried on U.S. flag vessels. Also, a new note has been sounded that merchant mariners are not as patriotic as other Americans. There is no factual support for that statement.

Earlier this year the House unanimously passed H.R. 1109, the Merchant Seaman's Reemployment Act. This bill permits former merchant seamen who still retain their skills to serve in the merchant marine during times of war or national emergency—the same rights other reservists have.

Madam Speaker, we are at peace, but the world is a dangerous place. I urge my colleagues on both sides of the aisle to vote yes on this rule, to vote yes on H.R. 2151 and to reject any and all amendments not sanctioned or offered by the bipartisan leadership of the Merchant Marine and Fisheries Committee.

Madam Speaker, I include for the RECORD charts reflecting open versus restrictive rules in the House of Representatives:

OPEN VERSUS RESTRICTIVE RULES 95TH–103D CONG.

Congress (years)	Total rules granted ¹	Open rules		Restrictive rules	
		Number	Percent ²	Number	Percent ³
95th (1977–78)	211	179	85	32	15
96th (1979–80)	214	161	75	53	25
97th (1981–82)	120	90	75	30	25
98th (1983–84)	155	105	68	50	32
99th (1985–86)	115	65	57	50	43
100th (1987–88)	123	66	54	57	46
101st (1989–90)	104	47	45	57	55
102d (1991–92)	109	37	34	72	66
103d (1993–94)	43	12	28	31	72

¹Total rules counted are all order of business resolutions reported from the Rules Committee which provide for the initial consideration of legislation, except rules on appropriations bills which only waive points of order. Original jurisdiction measures reported as privileged are also not counted.

²Open rules are those which permit any Member to offer any germane amendment to a measure so long as it is otherwise in compliance with the rules of the House. The parenthetical percentages are open rules as a percent of total rules granted.

³Restrictive rules are those which limit the number of amendments which can be offered, and include so-called modified open and modified closed rules, as well as completely closed rule, and rules providing for consideration in the House as opposed to the Committee of the Whole. The parenthetical percentages are restrictive rules as a percent of total rules granted.

Sources: "Rules Committee Calendars & Surveys of Activities," 95th–102d Cong., "Notices of Action Taken," Committee on Rules, 103d Cong., through Nov. 2, 1993.

OPEN VERSUS RESTRICTIVE RULES: 103d Cong.

Rule number date reported	Rule type	Bill number and subject	Amendments submitted	Amendments allowed	Disposition of rule and date
H. Res. 58, Feb. 2, 1993	MC	H.R. 1: Family and medical leave	30 (D-5; R-25)	3 (D-0; R-3)	PQ: 246–176. A: 259–164. (Feb. 3, 1993).
H. Res. 59, Feb. 3, 1993	MC	H.R. 2: National Voter Registration Act	19 (D-1; R-18)	1 (D-0; R-1)	PQ: 248–171. A: 249–170. (Feb. 4, 1993).
H. Res. 103, Feb. 23, 1993	C	H.R. 920: Unemployment compensation	7 (D-2; R-5)	0 (D-0; R-0)	PQ: 243–172. A: 237–178. (Feb. 24, 1993).
H. Res. 106, Mar. 2, 1993	MC	H.R. 20: Hatch Act amendments	9 (D-1; R-8)	3 (D-0; R-3)	PQ: 248–166. A: 249–163. (Mar. 3, 1993).
H. Res. 119, Mar. 9, 1993	MC	H.R. 4: NIH Revitalization Act of 1993	13 (D-4; R-9)	8 (D-3; R-5)	PQ: 247–170. A: 248–170. (Mar. 10, 1993).
H. Res. 132, Mar. 17, 1993	MC	H.R. 1335: Emergency supplemental appropriations	37 (D-8; R-29)	1 (not submitted) (D-1; R-0)	A: 240–185. (Mar. 18, 1993).
H. Res. 133, Mar. 17, 1993	MC	H. Con. Res. 64: Budget resolution	14 (D-2; R-12)	4 (1-D not submitted) (D-2; R-2)	PQ: 250–172. A: 251–172. (Mar. 18, 1993).
H. Res. 138, Mar. 23, 1993	MC	H.R. 670: Family planning amendments	20 (D-8; R-12)	9 (D-4; R-5)	PQ: 252–164. A: 247–169. (Mar. 24, 1993).
H. Res. 147, Mar. 31, 1993	C	H.R. 1430: Increase public debt limit	6 (D-1; R-5)	0 (D-0; R-0)	PQ: 244–168. A: 242–170. (Apr. 1, 1993).
H. Res. 149, Apr. 1, 1993	MC	H.R. 1578: Expedited Rescission Act of 1993	8 (D-1; R-7)	3 (D-1; R-2)	A: 212–208. (Apr. 28, 1993).
H. Res. 164, May 4, 1993	MC	H.R. 820: Nat'l Competitiveness Act	NA	NA	A: Voice Vote. (May 5, 1993).
H. Res. 171, May 18, 1993	O	H.R. 873: Gallatin Range Act of 1993	NA	NA	A: Voice Vote. (May 20, 1993).
H. Res. 172, May 18, 1993	O	H.R. 1159: Passenger Vessel Safety Act	NA	NA	A: 308–0. (May 24, 1993).
H. Res. 173, May 18, 1993	MC	S.J. Res. 45: United States forces in Somalia	6 (D-1; R-5)	6 (D-1; R-5)	A: Voice Vote. (May 20, 1993).
H. Res. 183, May 25, 1993	O	H.R. 2244: 2d supplemental appropriations	NA	NA	A: 251–174. (May 26, 1993).
H. Res. 186, May 27, 1993	MC	H.R. 2264: Omnibus budget reconciliation	51 (D-19; R-32)	8 (D-7; R-1)	PQ: 252–178. A: 236–194. (May 27, 1993).

OPEN VERSUS RESTRICTIVE RULES: 103d Cong.—Continued

Rule number date reported	Rule type	Bill number and subject	Amendments submitted	Amendments allowed	Disposition of rule and date
H. Res. 192, June 9, 1993	MC	H.R. 2348: Legislative branch appropriations	50 (D-6; R-44)	6 (D-3; R-3)	PQ: 240-177. A: 226-185. (June 10, 1993).
H. Res. 193, June 10, 1993	O	H.R. 2200: NASA authorization	NA	NA	A: Voice Vote. (June 14, 1993).
H. Res. 195, June 14, 1993	MC	H.R. 5: Striker replacement	7 (D-4; R-3)	2 (D-1; R-1)	A: 244-176. (June 15, 1993).
H. Res. 197, June 15, 1993	MO	H.R. 2333: State Department. H.R. 2404: Foreign aid	53 (D-20; R-33)	27 (D-12; R-15)	A: 294-129. (June 16, 1993).
H. Res. 199, June 16, 1993	C	H.R. 1876: Ext. of "Fast Track"	NA	NA	A: Voice Vote. (June 22, 1993).
H. Res. 200, June 16, 1993	MC	H.R. 2295: Foreign operations appropriations	33 (D-11; R-22)	5 (D-1; R-4)	A: 263-160. (June 17, 1993).
H. Res. 201, June 17, 1993	O	H.R. 2403: Treasury-postal appropriations	NA	NA	A: Voice Vote. (June 17, 1993).
H. Res. 203, June 22, 1993	MO	H.R. 2445: Energy and Water appropriations	NA	NA	A: Voice Vote. (June 23, 1993).
H. Res. 206, June 23, 1993	O	H.R. 2150: Coast Guard authorization	NA	NA	A: 401-0. (July 30, 1993).
H. Res. 217, July 14, 1993	MO	H.R. 2010: National Service Trust Act	NA	NA	A: 261-164. (July 21, 1993).
H. Res. 218, July 20, 1993	O	H.R. 2530: BLM authorization, fiscal year 1994-95	NA	NA	
H. Res. 220, July 21, 1993	MC	H.R. 2667: Disaster assistance supplemental	14 (D-8; R-6)	2 (D-2; R-0)	PQ: 245-178. F: 205-216. (July 22, 1993).
H. Res. 226, July 23, 1993	MC	H.R. 2667: Disaster assistance supplemental	15 (D-8; R-7)	2 (D-2; R-0)	A: 224-205. (July 27, 1993).
H. Res. 229, July 28, 1993	MO	H.R. 2330: Intelligence Authority Act, fiscal year 1994	NA	NA	A: 241-182. (Sept. 28, 1993).
H. Res. 230, July 28, 1993	O	H.R. 1964: Maritime Administration authority	NA	NA	A: Voice Vote. (July 29, 1993).
H. Res. 246, Aug. 6, 1993	MO	H.R. 2401: National Defense authority	149 (D-109; R-40)		A: 246-172. (Sept. 8, 1993).
H. Res. 248, Sept. 9, 1993	MO	H.R. 2401: National defense authorization			PQ: 237-169. A: 234-169. (Sept. 13, 1993).
H. Res. 250, Sept. 13, 1993	MC	H.R. 1340: RTC Completion Act	12 (D-3; R-9)	1 (D-1; R-0)	A: 213-191-1. (Sept. 14, 1993).
H. Res. 254, Sept. 22, 1993	MO	H.R. 2401: National Defense authorization		91 (D-67; R-24)	A: 241-182. (Sept. 28, 1993).
H. Res. 262, Sept. 28, 1993	O	H.R. 1845: National Biological Survey Act	NA	NA	A: 238-188. (10/06/93).
H. Res. 264, Sept. 28, 1993	MC	H.R. 2351: Arts, humanities, museums	7 (D-0; R-7)	3 (D-0; R-3)	PQ: 240-185. A: 225-195. (Oct. 14, 1993).
H. Res. 265, Sept. 29, 1993	MC	H.R. 3167: Unemployment compensation amendments	3 (D-1; R-2)	2 (D-1; R-1)	A: 239-150. (Oct. 15, 1993).
H. Res. 269, Oct. 6, 1993	MO	H.R. 2739: Aviation infrastructure investment	NA	NA	A: Voice Vote. (Oct. 7, 1993).
H. Res. 273, Oct. 12, 1993	MC	H.R. 3167: Unemployment compensation amendments	3 (D-1; R-2)	2 (D-1; R-1)	PQ: 235-187. F: 149-254. (Oct. 14, 1993).
H. Res. 274, Oct. 12, 1993	MC	H.R. 1804: Goals 2000 Educate America Act	15 (D-7; R-7; I-1)	10 (D-7; R-3)	A: Voice Vote. (Oct. 13, 1993).
H. Res. 282, Oct. 20, 1993	C	H.J. Res. 281: Continuing appropriations through Oct. 28, 1993	NA	NA	A: Voice Vote. (Oct. 21, 1993).
H. Res. 286, Oct. 27, 1993	O	H.R. 334: Lumbee Recognition Act	NA	NA	A: Voice Vote. (Oct. 28, 1993).
H. Res. 287, Oct. 27, 1993	C	H.J. Res. 283: Continuing appropriations resolution	1 (D-0; R-0)	0	A: 252-170. (Oct. 28, 1993).
H. Res. 289, Oct. 28, 1993	O	H.R. 2151: Maritime Security Act of 1993	NA	NA	

Note.—Code: C-Closed; MC-Modified closed; MO-Modified open; O-Open; D-Democrat; R-Republican; PQ: Previous question; A-Adopted; F-Failed.

Madam Speaker, I yield such time as he may consume to the distinguished gentleman from New York [Mr. SOLOMON] the ranking member of the Committee on Rules.

Mr. SOLOMON. Madam Speaker, I rise in strong support of H.R. 2151, the Maritime Security and Competitiveness Act of 1993.

The current state of our merchant marine is deplorable, Madam Speaker, and H.R. 2151 aims to fix that.

Our maritime industry has been devastated in recent years by unfair foreign competition and unwise government policy.

In the last several decades, America has lost her once preeminent role in the maritime industry, and we have now reached the intolerable situation where fully 96 percent—I say again, 96 percent—of our cargo is being carried on foreign vessels.

Needless to say, tens of thousands of jobs have been destroyed as a result of this and tens of thousands more at stake if we don't act now.

H.R. 2151 will help reverse this disastrous decline, Madam Speaker.

The bill streamlines and eliminates many of the burdensome regulations which have been impairing efficiency in the industry.

It will significantly increase the operational flexibility for U.S. vessels, by eliminating such restrictions as the requirement that vessels operate only on government-approved trade routes.

H.R. 2151 also authorizes the creation of a maritime security fleet, which would enhance our sealift capability, so important in the event of a military crisis overseas, which our good chairman emeritus, the gentleman from Tennessee [Mr. QUILLEN] has just spoken about.

Importantly, Madam Speaker, this bill in no way mandates the expenditure of any Federal funds.

It simply institutes a new regulatory framework for our merchant marine to enhance its competitiveness.

In fact, this bill actually reduces the cost to the government by limiting the amount of subsidy for each vessel.

Madam Speaker, it is time to restore our merchant marine to its once proud status.

We have been ignoring this critical aspect of our economy and national security apparatus for too long. I urge a yes vote on H.R. 2151.

□ 1710

Mr. QUILLEN. Madam Speaker, I yield 3 minutes to the distinguished gentleman from Florida [Mr. GOSS], a valuable member of the Committee on Rules.

Mr. GOSS. Madam Speaker, I thank the distinguished chairman emeritus, the gentleman from Tennessee [Mr. QUILLEN], for yielding me this time.

Madam Speaker, as a cosponsor of the Maritime Security and Competitiveness Act, I am pleased to rise in support of this open rule.

I join with the bipartisan leadership of the Merchant Marine and Fisheries Committee in supporting H.R. 2151. This legislation is a major hope for America's maritime industry; in the past 50 years, our Nation's merchant marine fleet has declined 80 percent, and our ship building industry is on the brink of extinction. Without help, we will lose what little is left.

This is a cause for real concern; the elimination of the American merchant marine would be damaging to our economy, to our national security, and to the safety of our ports. The great rush to reregister cargo ships under "flags of convenience" has contributed to the economic stagnation of our coastal regions, led to the decline of safety standards of ships trading in U.S. ports, and, made the United States de-

pendent on foreign vessels in times of war.

This last problem has been dismissed in some circles. However, during the Persian Gulf war a German-registered ship refused to fulfill its contract to transport military cargo through the gulf, causing unnecessary delays. Even during the Grenada operation, we had problems with Britain and securing a transport ship. If the United States has these problems dealing with our close allies, who are also experiencing sharp declines in their merchant marine, how can we expect to meet our needs using ships flying other nations' flags.

It is clear to me that these trends must be reversed. By passing H.R. 2151, this House can begin to stem the tide.

Specifically we will be providing incentives to replace the expiring operating differential subsidies contracts; eliminating anticompetitive trade-route requirements; and easing other burdensome regulations.

I understand that some Members oppose the cargo-preference laws that are a part of this bill, and under the rule, we will be able to debate this issue openly and completely.

Madam Speaker, I thank the gentleman for his time, and again urge support for the rule and the bill.

On a personal note, I would like to say what a pleasure it is to be able to stand here and recommend a rule as a member of the Rules Committee.

Mr. MOAKLEY. Madam Speaker, I yield 3 minutes to the distinguished gentleman from Missouri [Mr. CLAY] chairman of the Committee on Post Office and Civil Service.

Mr. CLAY. Madam Speaker, I thank the gentleman for yielding the time. I rise in support of this rule and urge my colleagues to support the rule and the bill.

Madam Speaker, often overlooked in the debate over maritime policy is

what it means to average citizens who despite low interest rates are hesitant to buy a new car or a home. They all know someone, a relative or a friend, who recently lost a job, and they are afraid that next time it will be their turn. With the economic recovery sluggish at best, Members need to ask themselves whether we can afford to lose yet another major industry.

We will lose it if we fail to act. Already, U.S.-flag operators are poised to register their vessels offshore. Shipyards, which have become dependent on the shrinking Defense budget, are closing their doors. An entire generation of skilled labor is being lost, perhaps forever.

What is going to happen to the port communities along our thousands of miles of coastline and inland waters? What are we going to do with the tens of thousands of workers who will be cast aside by a disappearing maritime industry?

While we quibble about the cost of a new maritime program, we ignore the enormous social cost of inaction. I for one would prefer to keep shipboard and shipyard workers actively employed, rather than incur the revenue losses and welfare costs of giving them a pink slip.

Yes, by all means, let us support maritime reform for its role in national defense. But let us not forget that the jobs of our constituents also hang in the balance. A vote cast for H.R. 2151 is a vote for them.

Mr. QUILLEN. Madam Speaker, I yield 2 minutes to the distinguished gentleman from Tennessee [Mr. DUNCAN].

Mr. DUNCAN. Madam Speaker, I rise in support of this open rule and in support of H.R. 2151, the Maritime Security and Competitiveness Act.

In 1950, our Nation had over 4,000 U.S. merchant marine ships. Today, we have just one-tenth of that number, or only about 400 U.S. ships.

This enormous decline has been brought on mainly by unfair and unrestricted foreign competition.

Our foreign competitors have controlled commercial vessel construction and operation primarily because of the many burdensome requirements placed on American shipping companies.

This legislation seeks to do away with many of these unnecessary conditions and restrictions.

One large corporation here in the United States, United States-owned, recently announced that it is seeking a deal with the Soviet Union, trading American grain for Russian-flag ships.

This particular company now chartered close to 100 foreign-flag ships to transport 35 million tons of agricultural commodities. In other words, an American company using foreign-flag ships primarily because it sees enormous economic benefit to trying to get around all of these American merchant marine laws.

It is unfortunate that some of the largest corporations here in our Nation have to seek foreign-flagged shipping operations to move U.S. cargo because our vessels are not available or are not cost effective primarily because of the status of our laws at this time. We place requirements on our own ships that we do not place on foreign-flag ships which move U.S. goods.

Moreover, with forthcoming reductions in our naval budget, we must redouble our efforts to ensure that our Nation has an adequate fleet of supply ships that our merchant mariners can depend upon in times of national emergencies.

This is truly a national security measure which will strengthen our defense of this country to have a strong merchant marine as a backup to our U.S. Navy.

We have the opportunity here today, by passing this legislation, to promote U.S. jobs, U.S. shipbuilding, and encouraging U.S.-flag vessel owners to stay under the U.S. flag.

I join my colleague, the dean of the delegation, the gentleman from Tennessee [Mr. QUILLEN], in supporting this very worthwhile legislation, and I urge my colleagues to support the rule and to support H.R. 2151.

Mr. QUILLEN. Madam Speaker, I yield 1 minute to the distinguished gentleman from California [Mr. CUNNINGHAM].

Mr. CUNNINGHAM. Madam Speaker, I rise in strong support of this rule. I would like to commend both the chairman and minority leader of the Committee on Merchant Marine and Fisheries and the Committee on Rules. As Members can see, the gentleman from Massachusetts [Mr. STUDDS], and the gentleman from Texas [Mr. FIELDS], run a very bipartisan committee.

□ 1720

This allows the Rules Committee to offer an open rule, for which we thank them. I would ask my colleagues to oppose any of the amendments that would reduce or weaken this bill.

There has been a lot of debate within the committee itself; the chairman and the minority leader have both had open rules on the committee, as well. I thank them for that.

There have been all kinds of hearings on that.

I would ask to oppose anything that weakens it.

Mr. QUILLEN. Madam Speaker, to close debate, I yield 3 minutes to the distinguished gentlewoman from Maryland [Mrs. BENTLEY].

Mrs. BENTLEY. I want to thank the gentleman from Tennessee [Mr. QUILLEN], who is handling this time on our side on this very important bill, for yielding the time.

Madam Speaker, I rise in strong support of this bipartisan rule, which affects one of the most important basic

industries of the world and a very vital basic industry of the United States.

This is the first time since 1970 that a real effort has been made in the U.S. Congress to do more than provide a band-aid to a hemorrhaging fleet.

Previous speakers have related the need for American flagships both for national security and our balance of trade. I want to expand on a point made by our distinguished colleague, the gentleman from Missouri [Mr. CLAY], regarding employment and jobs.

Madam Speaker, one of the reasons we are having difficulty in turning around the economy in our urban areas is the loss of job availabilities such as those in our shipyards. There are no places for these people who are retrained to go for work. We need the work in the shipyards. We need the work on American flagships.

I also want to join in the words of the gentleman from California [Mr. CUNNINGHAM] in urging everybody to reject the amendments that may be put up. We need this bill to go through, we need a clean bill that will come out and will truly help an industry that needs our assistance now.

Mr. QUILLEN. Madam Speaker, I urge a "yes" vote on the rule and a "yes" vote on the bill.

Madam Speaker, I have no further requests for time, and I yield back the balance of my time.

Mr. MOAKLEY. Madam Speaker, I have no further requests for time, and I move the previous question on the resolution.

The previous question was ordered.

The resolution was agreed to.

A motion to reconsider was laid on the table.

ANNOUNCEMENT REGARDING SUBMISSION OF AMENDMENTS TO H.R. 796, THE FREEDOM OF ACCESS TO CLINIC ENTRANCES ACT OF 1993

(Mr. MOAKLEY asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. MOAKLEY. Mr. Speaker, I rise to inform the House of a change in the Rules Committee's plans regarding H.R. 796, the Freedom of Access to Clinic Entrances Act of 1993.

The Rules Committee is now planning to meet on this legislation sometime during the week of November 15. In order to provide for an orderly process in the consideration of this matter, the Rules Committee is requesting that Members submit 55 copies of their amendments to the bill, together with a brief explanation of the amendment, to the Rules Committee office at H-312, the Capitol, by 5 p.m., Wednesday, November 10, 1993.

In addition Mr. Speaker, those Members who filed amendments with the Rules Committee under the original

deadline of Wednesday, November 3, are not required to resubmit those amendments to the committee.

I appreciate the cooperation of the Members on this issue and apologize for any inconvenience. I thank the Members for their consideration on this matter.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 5 of rule I, the Chair will now put the question on the motion to suspend the rules on which further proceedings were postponed on Tuesday, November 2, 1993, and then on the motions postponed earlier today in the order in which that motion was entertained.

Votes will be taken in the following order: H.R. 2684, as amended, by the yeas and nays, H.R. 3350, as amended, by the yeas and nays, H.R. 3351, as amended, by the yeas and nays, H.R. 3353, as amended, by the yeas and nays, and H.R. 3354, as amended, by the yeas and nays.

The Chair will reduce to 5 minutes the time for any electronic vote after the first such vote in this series.

NATIONAL FISH AND WILDLIFE IMPROVEMENT ACT OF 1993

The SPEAKER pro tempore. The unfinished business is the question of suspending the rules and passing the bill, H.R. 2684, as amended.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Massachusetts [Mr. STUDDS] that the House suspend the rules and pass the bill, H.R. 2684, as amended, on which the yeas and nays are ordered.

The vote was taken by electronic device, and there were—yeas 368, nays 59, not voting 6, as follows:

(Roll No. 539)

YEAS—368

Abercrombie	Boehner	Coleman
Ackerman	Bonior	Collins (IL)
Andrews (ME)	Borski	Collins (MI)
Andrews (NJ)	Boucher	Condit
Andrews (TX)	Brewster	Conyers
Applegate	Brooks	Cooper
Bacchus (FL)	Browder	Coppersmith
Baesler	Brown (CA)	Costello
Baker (CA)	Brown (FL)	Cox
Baker (LA)	Brown (OH)	Coyne
Ballenger	Bryant	Cramer
Barca	Bunning	Crapo
Barcia	Buyer	Cunningham
Barlow	Byrne	Danner
Barrett (WI)	Calvert	Darden
Bateman	Camp	de la Garza
Becerra	Canady	Deal
Bentley	Cantwell	DeFazio
Bereuter	Cardin	DeLauro
Bevill	Castle	Dellums
Bilbray	Chapman	Derrick
Bilirakis	Clay	Deutsch
Bishop	Clayton	Diaz-Balart
Blackwell	Clement	Dickey
Blute	Clinger	Dicks
Boehlert	Clyburn	Dingell

Dixon	Knollenberg	Quinn
Dunn	Kolbe	Rahall
Durbin	Kopetski	Ramstad
Edwards (CA)	Kreidler	Rangel
Edwards (TX)	Kyl	Ravenel
Engel	LaFalce	Reed
English (AZ)	Lambert	Regula
English (OK)	Lancaster	Reynolds
Eshoo	Lantos	Richardson
Evans	LaRocco	Ridge
Everett	Laughlin	Roberts
Ewing	Lazio	Roemer
Farr	Leach	Rogers
Fawell	Lehman	Ros-Lehtinen
Fazio	Levin	Rose
Fields (LA)	Levy	Rostenkowski
Fields (TX)	Lewis (CA)	Roth
Filner	Lewis (FL)	Roukema
Fingerhut	Lewis (GA)	Rowland
Fish	Lightfoot	Roybal-Allard
Flake	Liptinski	Rush
Foglietta	Livingston	Sabo
Ford (MI)	Lloyd	Sanders
Ford (TN)	Long	Sangmeister
Fowler	Lowey	Sarpalus
Frank (MA)	Maloney	Sawyer
Frank (CT)	Mann	Saxton
Frank (NJ)	Manton	Schaefer
Frost	Manzullo	Schenk
Furse	Margolies-	Schiff
Galleghy	Mezvinsky	Schroeder
Gallo	Markey	Schumer
Gejdenson	Martinez	Scott
Gephardt	Matsui	Serrano
Geren	Mazzoli	Sharp
Gibbons	McCandless	Shays
Gilchrest	McCloskey	Shepherd
Gillmor	McCrery	Sisk
Gilman	McCurdy	Sisk
Gingrich	McDade	Skaggs
Glickman	McDermott	Skeen
Gonzalez	McHale	Skelton
Goodlatte	McHugh	Slattery
Goodling	McInnis	Slaughter
Gordon	McKeon	Smith (IA)
Goss	McKinney	Smith (NJ)
Grandy	McMillan	Smith (TX)
Green	McNulty	Snowe
Greenwood	Meehan	Solomon
Gunderson	Meek	Spence
Gutierrez	Menendez	Spratt
Hall (OH)	Meyers	Stark
Hamburg	Mfume	Stokes
Hamilton	Miller (CA)	Strickland
Harman	Miller (FL)	Studds
Hastert	Mineta	Stupak
Hastings	Minge	Sundquist
Hayes	Mink	Swett
Hefley	Moakley	Swift
Hefner	Molinar	Synar
Hilliard	Mollohan	Talent
Hinche	Moorhead	Tanner
Hoagland	Moran	Tauzin
Hobson	Morella	Taylor (NC)
Hochbrueckner	Murphy	Tejeda
Hoekstra	Murtha	Thomas (CA)
Hoke	Myers	Thompson
Holden	Nadler	Thornton
Horn	Natcher	Thurman
Houghton	Neal (MA)	Torkildsen
Hoyer	Neal (NC)	Torres
Huffington	Oberstar	Torricelli
Hughes	Obey	Towns
Hutchinson	Olver	Trafigant
Hutto	Ortiz	Tucker
Hyde	Orton	Unsoeld
Inslee	Owens	Upton
Istook	Packard	Valentine
Jacobs	Pallone	Vento
Jefferson	Parker	Visclosky
Johnson (CT)	Pastor	Volkmer
Johnson (GA)	Payne (NJ)	Walsh
Johnson (SD)	Payne (VA)	Washington
Johnson, E.B.	Pelosi	Waters
Johnston	Peterson (FL)	Watt
Kanjorski	Peterson (MN)	Waxman
Kaptur	Petri	Weldon
Kennedy	Pickett	Wheat
Kennelly	Pickle	Whitten
Kildee	Pomeroy	Williams
Kim	Porter	Willson
King	Portman	Wise
Kingston	Poshard	Wolf
Kleczka	Price (NC)	Woolsey
Klein	Pryce (OH)	
Klink	Quillen	

Wyden
Wynn

Yates
Young (AK)

Zelliff
Zimmer

NAYS—59

Allard	Emerson	Paxon
Archer	Gekas	Penny
Armey	Grams	Pombo
Bacchus (AL)	Hall (TX)	Rohrabacher
Barrett (NE)	Hancock	Royce
Bartlett	Hansen	Santor
Barton	Herger	Sensenbrenner
Bliley	Hunter	Shaw
Bonilla	Inglis	Shuster
Burton	Inhofe	Smith (MI)
Callahan	Johnson, Sam	Smith (OR)
Coble	Kasich	Stearns
Collins (GA)	Klug	Stenholm
Combest	Linder	Stump
Crane	McColum	Taylor (MS)
DeLay	Mica	Thomas (WY)
Doolittle	Michel	Vucanovich
Dornan	Montgomery	Walker
Dreier	Nussle	Young (FL)
Duncan	Oxley	

NOT VOTING—6

Bellenson	Carr	Machtley
Berman	Dooley	Velazquez

□ 1748

Messrs. SMITH of Michigan, BARTLETT of Maryland, HERGER, and TAYLOR of Mississippi changed their vote from "yea" to "nay."

Mr. MANZULLO changed his vote from "nay" to "yea."

So (two-thirds having voted in favor thereof) the rules were suspended and the bill, as amended, was passed.

The result of the vote was announced as above recorded.

The title of the bill was amended so as to read: "A bill to reauthorize and amend the National Fish and Wildlife Foundation Establishment Act, and for other purposes."

A motion to reconsider was laid on the table.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Ms. BYRNE). Pursuant to the provisions of clause 5, rule I, the Chair announces that she will reduce to a minimum of 5 minutes the period within which a vote by electronic device may be taken on each additional motion to suspend the rules on which the Chair has postponed further proceedings.

ESTABLISHING A PROGRAM OF RESIDENTIAL SUBSTANCE ABUSE TREATMENT WITHIN FED- ERAL PRISONS

The SPEAKER pro tempore. The pending business is the question of suspending the rules and passing the bill, H.R. 3350, as amended.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Texas [Mr. BROOKS] that the House suspend the rules and pass the bill, H.R. 3350, as amended, on which the yeas and nays are ordered.

The vote was taken by electronic device, and there were—yeas 373, nays 54, not voting 6, as follows:

[Roll No. 540]
YEAS—373

Abercrombie Filner Leach
Ackerman Fingerhut Lehman
Andrews (ME) Fish Levin
Andrews (NJ) Flake Levy
Andrews (TX) Foglietta Lewis (CA)
Applegate Ford (MI) Lewis (FL)
Bacchus (FL) Ford (TN) Lewis (GA)
Baesler Fowler Linder
Baker (CA) Frank (MA) Lipinski
Barca Franks (CT) Livingston
Barcia Franks (NJ) Lloyd
Barlow Frost Long
Barrett (NE) Furse Lowey
Barrett (WI) Gallegly Maloney
Barton Gallo Mann
Bateman Gejdenson Manton
Becerra Gephardt Saxton
Bentley Geren Manzullo
Bereuter Gibbons Margolies-
Bevill Gilchrest Mezvinsky
Billray Gillmor Markey
Billrakis Gilman Martinez
Bishop Glickman Matsui
Blackwell Gingrich Mazzoli
Bliley Glickman McCandless
Blute Gonzalez McCloskey
Boehlert Goodlatte McCollum
Boehner Goodling McCrery
Bonilla Gordon McCurdy
Bonior Grandy McDade
Borski Green McDermott
Boucher Greenwood McHale
Brewster Gunderson McHugh
Brooks Gutierrez McInnis
Brooks Hall (OH) McKeon
Browder Hall (TX) McKinney
Brown (CA) Hamburg McMillan
Brown (FL) Hamilton McNulty
Brown (OH) Hansen Meehan
Bryant Harman Meek
Bunning Hastert Menendez
Buyer Hastings Mfume
Byrne Hayes Miller (CA)
Calvert Hefner Miller (FL)
Camp Hilliard Mineta
Canady Hinchey Minge
Cantwell Hoagland Mink
Cardin Hobson Moakley
Castle Hochbrueckner Mollinari
Chapman Hoekstra Mollohan
Clay Hoke Montgomery
Clayton Holden Moorhead
Clement Horn Moran
Clinger Houghton Morella
Clyburn Hoyer Murphy
Coble Huffington Murtha
Coleman Hughes Myers
Collins (IL) Hutchinson Nadler
Collins (MI) Hutto Natcher
Condit Inglis Neal (MA)
Conyers Inhofe Neal (NC)
Cooper Inslee Oberstar
Coppersmith Istook Obey
Costello Jacobs Oliver
Coyne Jefferson Ortiz
Cramer Johnson (CT) Orton
Danner Johnson (GA) Owens
Darden Johnson (SD) Oxley
de la Garza Johnson, E.B. Pallone
Deal Johnston Parker
DeFazio Kanjorski Pastor
DeLauro Kaptur Payne (NJ)
Dellums Kasich Payne (VA)
Derrick Kennedy Pelosi
Deutsch Kennelly Penny
Diaz-Balart Kildee Peterson (FL)
Dickey Kim Peterson (MN)
Dicks King Petri
Dingell Kleczka Pickett
Dixon Klein Pickle
Dunn Klinc Pomerooy
Durbin Klug Porter
Edwards (CA) Knollenberg Portman
Edwards (TX) Kolbe Poshard
Emerson Kopetski Price (NC)
Engel Kreidler Pryce (OH)
English (AZ) Kyl Quillen
English (OK) LaFalce Quinn
Eshoo Lambert Rahall
Evans Lancaster Ramstad
Ewing Lantos Rangel
Farr LaRocco Ravenel
Fazio Laughlin Reed
Fields (LA) Lazio Regula

Reynolds
Richardson
Ridge
Roberts
Roemer
Rogers
Ros-Lehtinen
Rose
Rostenkowski
Roth
Rowland
Roybal-Allard
Rush
Sabo
Sanders
Sangmeister
Santorum
Sarpalius
Sawyer
Saxton
Schaefer
Schenk
Schiff
Schroeder
Schumer
Scott
Serrano
Sharp
Shaw
Shays
Shepherd
Sisisky

Skaggs
Skeen
Skelton
Slattery
Slaughter
Smith (IA)
Smith (MI)
Smith (NJ)
Smith (OR)
Smith (TX)
Solomon
Spence
Spratt
Stark
Stenholm
Stokes
Strickland
Studds
Stupak
Sundquist
Swett
Swift
Synar
Tauzin
Taylor (MS)
Tejeda
Thomas (CA)
Thomas (WY)
Thompson
Thornton
Thurman
Torkildsen

Torres
Torricelli
Towns
Traficant
Tucker
Unsoeld
Upton
Valentine
Vento
Visclosky
Volkmer
Vucanovich
Walsh
Washington
Waters
Watt
Waxman
Weldon
Wheat
Whitten
Williams
Wilson
Wise
Wolf
Woolsey
Wyden
Wynn
Yates
Young (AK)
Zeliff
Zimmer

The vote was taken by electronic device, and there were—yeas 235, nays 192, answered, not voting 6, as follows:

[Roll No. 541]
YEAS—235

Abercrombie Gordon Oberstar
Ackerman Green Obey
Andrews (ME) Gutierrez Oliver
Andrews (NJ) Hall (OH) Owens
Bacchus (FL) Hamburg Pallone
Baesler Hamilton Parker
Barca Harman Pastor
Barlow Hastings Payne (NJ)
Barrett (WI) Hefner Payne (VA)
Becerra Hilliard Pelosi
Bereuter Hinchey Penny
Bevill Hoagland Peterson (FL)
Bishop Hochbrueckner Peterson (MN)
Blackwell Holden Pickett
Bonior Hoyer Pickle
Borski Huffington Pomerooy
Boucher Hughes Poshard
Brewster Inslee Price (NC)
Brooks Jacobs Rahall
Browder Jefferson Rangel
Brown (CA) Johnson (GA) Reed
Brown (FL) Johnson (SD) Reynolds
Brown (OH) Johnson, E.B. Richardson
Bryant Johnston Ridge
Byrne Kanjorski Roemer
Cantwell Kaptur Rose
Cardin Kennedy Rostenkowski
Carr Kennelly Roybal-Allard
Chapman Kildee Rush
Clay Kleczka Sabo
Clayton Klein Sanders
Clement Klink Sangmeister
Clyburn Klug Sawyer
Coleman Kopetski Schenk
Collins (IL) Kreidler Schroeder
Collins (MI) Lambert Schumer
Conyers Lancaster Scott
Cooper Lantos Serrano
Coppersmith LaRocco Shepherd
Costello Laughlin Sharp
Coyne Lehman Skaggs
Cramer Levin Slattery
Danner Lewis (GA) Slaughter
Darden Lipinski Smith (IA)
de la Garza Lloyd Smith (NJ)
DeFazio Long Stark
DeLauro Lowey Stokes
Dellums Maloney Strickland
Deutsch Mann Studds
Dicks Manton Stupak
Dingell Margolies- Swift
Dixon Mezvinsky Synar
Durbin Durbin Tanner
Edwards (CA) Martinez Tejeda
Edwards (TX) Matsui Thompson
Engel Mazzoli Thornton
English (AZ) McCandless Thurman
Eshoo McCloskey Torres
Evans McCurdy Torricelli
Farr McDermott Towns
Fazio McHale Traficant
Fields (LA) McKinney Tucker
Filner McNulty Unsoeld
Fingerhut Meehan Vento
Flake Meek Visclosky
Foglietta Menendez Washington
Ford (MI) Mfume Waters
Ford (TN) Miller (CA) Watt
Fowler Frank (MA) Waxman
Frank (MA) Minge Wheat
Franks (NJ) Mink Whitten
Frost Moakley Williams
Furse Mollohan Wise
Gejdenson Moran Woolsey
Gephardt Murtha Wyden
Gibbons Nadler Wynn
Glickman Natcher Yates
Gonzalez Neal (MA)
Goodling Goodling Neal (NC)

NAYS—54

Allard
Archer
Armey
Bachus (AL)
Baker (LA)
Ballenger
Bartlett
Burton
Callahan
Collins (GA)
Combest
Cox
Crane
Crapo
Cunningham
DeLay
Doolittle
Dornan

Dreier
Duncan
Everett
Fawell
Fields (TX)
Gekas
Goss
Grams
Hancock
Hefley
Herger
Hunter
Hyde
Johnson, Sam
Kingston
Lightfoot
Meyers
Mica

Michel
Nussle
Packard
Paxon
Pombo
Rohrabacher
Roukema
Royce
Sensenbrenner
Shuster
Snowe
Stearns
Stump
Talent
Tanner
Taylor (NC)
Walker
Young (FL)

NOT VOTING—6

□ 1757

Messrs. BARTLETT of Maryland, BAKER of Louisiana, and FIELDS of Texas, and Mrs. MEYERS of Kansas changed their vote from "yea" to "nay."

So (two-thirds having voted in favor thereof) the rules were suspended and the bill, as amended, was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

GRANTS FOR DEVELOPING ALTERNATIVE METHODS OF PUNISHMENT FOR YOUNG OFFENDERS

The SPEAKER pro tempore (Ms. BYRNE). The pending business is the question of suspending the rules and passing the bill, H.R. 3351, as amended. The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Texas [Mr. BROOKS] that the House suspend the rules and pass the bill, H.R. 3351, as amended, on which the yeas and nays are ordered.

NAYS—192

Allard
Andrews (TX)
Applegate
Archer
Armey
Bachus (AL)
Baker (CA)
Bentley
Billray
Billrakis
Bliley
Blute
Boehlert
Boehner

Bonilla
Bunning
Burton
Buyer
Callahan
Calvert
Camp
Canady
Castle
Clinger
Coble
Collins (GA)
Combest
Cox
Crane
Crapo
Cunningham
Deal
DeLay
Derrick
Diaz-Balart
Dickey
Doolittle
Dornan
Dreier
Duncan
Dunn
Emerson
English (OK)
Everett
Ewing
Fawell
Fields (TX)
Fish
Franks (CT)
Galegry
Gallo
Gekas
Geren
Gilchrest
Gillmor
Gilman
Gingrich
Goodlatte
Goss
Grams
Grandy
Greenwood
Gunderson
Hall (TX)
Hancock
Hansen
Hastert
Hayes
Hefley
Herger
Hobson

Hoeckstra
Hoek
Horn
Houghton
Hunter
Hutchinson
Hutto
Hyde
Ingalls
Inhofe
Istook
Johnson (CT)
Johnson, Sam
Kasich
Kim
King
Kingston
Knollenberg
Kolbe
Kyl
LaFalce
Lazio
Leach
Levy
Lewis (CA)
Lewis (FL)
Lightfoot
Linder
Livingston
Manzullo
McCollum
McCrery
McDade
McHugh
McInnis
McKeon
McMillan
Morella
Murphy
Mica
Michel
Miller (FL)
Molinar
Montgomery
Moorhead
Moore
Mullins
Nussle
Ortiz
Orton
Oxley
Packard
Paxon
Petri
Pombo
Porter
Portman

Pryce (OH)
Quillen
Quinn
Ramstad
Ravenel
Regula
Roberts
Rogers
Rohrabacher
Ros-Lehtinen
Roth
Roukema
Rowland
Royce
Santorum
Sarpalius
Saxton
Schaefer
Schiff
Sensenbrenner
Shaw
Shays
Shuster
Skeel
Skelton
Smith (MI)
Smith (OR)
Smith (TX)
Snowe
Solomon
Spence
Spratt
Stearns
Stenholm
Stump
Sundquist
Swett
Talent
Tauzin
Taylor (MS)
Taylor (NC)
Thomas (CA)
Thomas (WY)
Torkildsen
Upton
Valentine
Volkmer
Vucanovich
Walker
Walsh
Weldon
Wilson
Wolf
Young (AK)
Young (FL)
Zelliff
Zimmer

NOT VOTING—6

Bellenson
Berman

Condit
Dooley

Machtley
Velazquez

□ 1807

The clerk announced the following pair:

On this vote:

Mr. BEILENSEN and BERMAN for, with Mr. MACHTLEY against.

Messrs. BILBRAY, SPRATT, AND VOLKMER changed their vote from "yea" to "nay."

So (two-thirds not having voted in favor thereof) the motion was rejected.

The result of the vote was announced as above recorded.

GRANTS TO DEVELOP PROGRAMS TO REDUCE JUVENILE GANG PARTICIPATION AND JUVENILE DRUG TRAFFICKING

The SPEAKER pro tempore (Ms. BYRNE). The pending business is the question of suspending the rules and passing the bill, H.R. 3353, as amended.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by

the gentleman from Texas [Mr. BROOKS] that the House suspend the rules and pass the bill, H.R. 3353, as amended, on which the yeas and nays are ordered.

This is a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 413, nays 12, not voting 8, as follows:

[Roll No. 542]

YEAS—413

Ackerman
Andrews (ME)
Andrews (NJ)
Andrews (TX)
Applegate
Archer
Bacchus (FL)
Bachus (AL)
Baesler
Baker (CA)
Baker (LA)
Ballenger
Barca
Barcia
Barlow
Barrett (NE)
Barrett (WI)
Bartlett
Barton
Becerra
Bentley
Bereuter
Bevill
Bilbray
Bilbrakis
Bishop
Blackwell
Billey
Blute
Boehert
Boehner
Bonilla
Bonior
Borski
Boucher
Brewster
Brooks
Browder
Brown (CA)
Brown (FL)
Brown (OH)
Bryant
Bunning
Buyer
Byrne
Callahan
Calvert
Camp
Canady
Cantwell
Cardin
Carr
Castle
Chapman
Clay
Clayton
Clement
Clinger
Clyburn
Coble
Coleman
Collins (GA)
Collins (IL)
Collins (MI)
Condit
Conyers
Cooper
Coppersmith
Costello
Cox
Coyne
Cramer
Crapo
Cunningham
Danner
Darden
de la Garza
Deal
DeFazio
DeLauro
Dellums

Derrick
Deutsch
Diaz-Balart
Dickey
Dicks
Dingell
Dixon
Doolittle
Dornan
Dreier
Duncan
Dunn
Durbin
Edwards (CA)
Edwards (TX)
Emerson
Engel
English (AZ)
English (OK)
Eshoo
Evans
Everett
Ewing
Farr
Fawell
Fazio
Fields (LA)
Fields (TX)
Filner
Fingerhut
Fish
Flake
Foglietta
Ford (MI)
Ford (TN)
Fowler
Frank (MA)
Franks (CT)
Franks (NJ)
Frost
Furse
Galegry
Gallo
Gejdenson
Gekas
Gephardt
Geren
Gibbons
Gilchrest
Gillmor
Gilman
Gingrich
Glickman
Gonzalez
Goodlatte
Goodling
Gordon
Goss
Grams
Grandy
Green
Greenwood
Gunderson
Gutierrez
Hall (OH)
Hall (TX)
Hamburg
Hamilton
Hansen
Harman
Hastert
Hastings
Hayes
Hefley
Hefner
Herger
Hilliard
Hinchey
Hoagland
Hobson
Hochbrueckner

Hoeckstra
Hoek
Holden
Horn
Houghton
Hoyer
Huffington
Hughes
Hunter
Hutchinson
Hutto
Hyde
Inhofe
Inslee
Istook
Jacobs
Jefferson
Johnson (CT)
Johnson (GA)
Johnson (SD)
Johnson, E.B.
Johnson, Sam
Johnston
Kanjorski
Kaptur
Kasich
Kennedy
Kennelly
Kildee
Kim
King
Kingston
Klecicka
Klein
Klink
Klug
Knollenberg
Kolbe
Kopetski
Kreidler
Kyl
LaFalce
Lambert
Lancaster
Lantos
LaRocco
Laughlin
Lazio
Leach
Lehman
Levin
Levy
Lewis (CA)
Lewis (FL)
Lewis (GA)
Lightfoot
Linder
Lipinski
Livingston
Lloyd
Long
Lowey
Maloney
Mann
Manton
Manzullo
Margolies-Mezvinsky
Markey
Martinez
Matsui
Mazzoli
McCandless
McCloskey
McCollum
McCrery
McCurdy
McDade
McDermott
McHale
McHugh

McInnis
McKeon
McKinney
McMillan
McNulty
Meehan
Meek
Menendez
Meyers
Mfume
Mica
Michel
Miller (CA)
Miller (FL)
Mineta
Minge
Moakley
Molinar
Mollohan
Montgomery
Moorhead
Moran
Morella
Murphy
Murtha
Myers
Nader
Natcher
Neal (MA)
Neal (NC)
Oberstar
Obey
Schenk
Oliver
Ortiz
Orton
Owens
Oxley
Packard
Pallone
Parker
Pastor
Paxon
Payne (NJ)
Payne (VA)
Pelosi
Peterson (FL)
Peterson (MN)
Petri
Pickett
Pickle
Pombo
Pomeroy
Porter
Portman
Poshard
Price (NC)
Pryce (OH)

Quillen
Quinn
Rahall
Ramstad
Rangel
Ravenel
Reed
Regula
Reynolds
Richardson
Ridge
Roberts
Roemer
Rogers
Rohrabacher
Ros-Lehtinen
Rose
Rostenkowski
Roth
Roukema
Rowland
Roybal-Allard
Royce
Rush
Sabo
Sanders
Sangmeister
Santorum
Sarpalius
Sawyer
Saxton
Schaefer
Schenck
Schiff
Schroeder
Schumer
Scott
Serrano
Sharp
Shaw
Shays
Shepherd
Shuster
Sisisky
Skaggs
Skeen
Skelton
Slattery
Slaughter
Smith (IA)
Smith (MI)
Smith (NJ)
Smith (OR)
Smith (TX)
Snowe
Solomon
Spence

Spratt
Stark
Stearns
Stenholm
Stokes
Strickland
Studds
Stupak
Sundquist
Swett
Swift
Synar
Talent
Tanner
Tauzin
Taylor (MS)
Taylor (NC)
Tejeda
Thomas (CA)
Thomas (WY)
Thompson
Thornton
Thurman
Torkildsen
Torres
Torrice
Towns
Traffant
Tucker
Unsoeld
Upton
Valentine
Vento
Visclosky
Volkmer
Vucanovich
Walker
Walsh
Washington
Waters
Watt
Waxman
Weldon
Wheat
Whitten
Williams
Wilson
Wise
Wolf
Woolsey
Wyden
Wynn
Yates
Young (AK)
Young (FL)
Zelliff
Zimmer

NAYS—12

Allard
Army
Burton
Combest

Crane
DeLay
Hancock
Ingalls

Nussle
Penny
Sensenbrenner
Stump

NOT VOTING—8

Abercrombie
Bateman
Beilenson

Berman
Dooley
Machtley

Mink
Velazquez

□ 1815

Mr. ROHRABACHER changed his vote from "nay" to "yea."

So (two-thirds having voted in favor thereof) the rules were suspended and the bill, as amended, was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

SUBSTANCE ABUSE TREATMENT FOR STATE PRISONERS

The SPEAKER pro tempore (Ms. BYRNE). The pending business is the question of suspending the rules and passing the bill, H.R. 3354, as amended.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by

the gentleman from Texas [Mr. BROOKS] that the House suspend the rules and pass the bill, H.R. 3354, as amended, on which the yeas and nays are ordered.

This is a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 394, nays 32, not voting 7, as follows:

[Roll No. 543]

YEAS—394

Abercrombie	Dicks	Hunter
Ackerman	Dingell	Hutchinson
Andrews (ME)	Dixon	Hutto
Andrews (NJ)	Dornan	Hyde
Andrews (TX)	Dreier	Inhofe
Applegate	Duncan	Insole
Bacchus (FL)	Dunn	Istook
Baessler	Durbin	Jacobs
Baker (CA)	Edwards (CA)	Jefferson
Baker (LA)	Edwards (TX)	Johnson (CT)
Barca	Emerson	Johnson (GA)
Barlow	Engel	Johnson (SD)
Barrett (NE)	English (AZ)	Johnson, E.B.
Barrett (WI)	English (OK)	Johnston
Barton	Eshoo	Kanjorski
Bateman	Evans	Kaptur
Becerra	Everett	Kasich
Bentley	Ewing	Kennedy
Bereuter	Farr	Kennelly
Bevill	Fawell	Kildee
Bilbray	Fazio	Kim
Bilirakis	Fields (LA)	King
Bishop	Filner	Kingston
Blackwell	Fingerhut	Klecza
Billey	Fish	Klein
Blute	Flake	Klink
Boehlert	Foglietta	Klug
Boehner	Ford (MI)	Knollenberg
Bonilla	Ford (TN)	Kolbe
Bonior	Fowler	Kopetski
Borski	Frank (MA)	Kreidler
Boucher	Franks (CT)	Kyl
Brewster	Franks (NJ)	LaFalce
Brooks	Frost	Lambert
Browder	Furse	Lancaster
Brown (CA)	Gallegly	Lantos
Brown (FL)	Gallo	LaRocco
Brown (OH)	Gedensson	Laughlin
Bryant	Gekas	Lazio
Bunning	Gephardt	Leach
Buyer	Geren	Lehman
Byrne	Gibbons	Levin
Calvert	Gilchrest	Levy
Camp	Gillmor	Lewis (CA)
Canady	Gilman	Lewis (FL)
Cantwell	Gingrich	Lewis (GA)
Cardin	Glickman	Lightfoot
Carr	Gonzalez	Linder
Castle	Goodlatte	Lipinski
Chapman	Goodling	Livingston
Clay	Gordon	Lloyd
Clayton	Goss	Long
Clement	Grams	Lowey
Clinger	Grandy	Maloney
Clyburn	Green	Mann
Coble	Greenwood	Manton
Coleman	Gunderson	Manzullo
Collins (GA)	Gutierrez	Margolies-
Collins (IL)	Hall (OH)	Mezvinsky
Collins (MI)	Hall (TX)	Markey
Condit	Hamburg	Martinez
Conyers	Hamilton	Matsui
Cooper	Harman	Mazzoli
Coppersmith	Hastert	McCandless
Costello	Hastings	McCloskey
Cox	Hayes	McCollum
Coyne	Hefner	McCrery
Cramer	Herger	McCurdy
Crapo	Hilliard	McDade
Cunningham	Hinchey	McDermott
Danner	Hoagland	McHale
Darden	Hobson	McHugh
de la Garza	Hochbrueckner	McInnis
Deal	Hoekstra	McKeon
DeFazio	Hoke	McKinney
DeLauro	Holden	McMillan
Dellums	Horn	McNulty
Derrick	Houghton	Meehan
Deutsch	Hoyer	Meek
Diaz-Balart	Huffington	Menendez
Dickey	Hughes	Meyers

Mfume	Rangel	Stenholm
Mica	Ravenel	Stokes
Michel	Reed	Strickland
Miller (CA)	Regula	Studds
Miller (FL)	Reynolds	Stupak
Mineta	Richardson	Sundquist
Minge	Ridge	Swett
Mink	Roberts	Swift
Moakley	Roemer	Synar
Molinar	Rogers	Tanner
Mollohan	Ros-Lehtinen	Tauzin
Montgomery	Rose	Taylor (MS)
Moorhead	Rostenkowski	Tejeda
Moran	Roth	Thomas (CA)
Morella	Roukema	Thomas (WY)
Murphy	Rowland	Thompson
Murtha	Roybal-Allard	Thornton
Myers	Rush	Thurman
Nadler	Sabo	Torkildsen
Natcher	Sanders	Torres
Neal (MA)	Sangmeister	Torricelli
Neal (NC)	Santorum	Towns
Oberstar	Sarpallus	Traffant
Obey	Sawyer	Tucker
Oliver	Saxton	Unsoeld
Ortiz	Schaefer	Upton
Orton	Schenck	Vento
Owens	Schiff	Visclosky
Oxley	Schroeder	Volkmer
Pallone	Schumer	Vucanovich
Parker	Scott	Walsh
Pastor	Serrano	Washington
Paxon	Sharp	Waters
Payne (NJ)	Shaw	Watt
Payne (VA)	Shays	Waxman
Pelosi	Shepherd	Weldon
Peterson (FL)	Siskis	Wheat
Peterson (MN)	Skaggs	Whitten
Petri	Skeen	Williams
Pickett	Skelton	Wilson
Pickle	Slatery	Wise
Pomeroy	Slaughter	Wolf
Porter	Smith (IA)	Woolsey
Portman	Smith (NJ)	Wyden
Poshard	Smith (OR)	Wynn
Price (NC)	Smith (TX)	Yates
Pryce (OH)	Snowe	Young (AK)
Quillen	Solomon	Young (FL)
Quinn	Spence	Zeliff
Rahall	Spratt	Zimmer
Ramstad	Stark	

NAYS—32

Allard	Doolittle	Royce
Archer	Fields (TX)	Sensenbrenner
Armey	Hancock	Shuster
Bachus (AL)	Hefley	Smith (MI)
Ballenger	Inglis	Stearns
Bartlett	Johnson, Sam	Stump
Burton	Nussle	Talent
Callahan	Packard	Taylor (NC)
Combest	Penny	Valentine
Crane	Pombo	Walker
DeLay	Rohrabacher	

NOT VOTING—7

Barcia	Dooley	Velazquez
Bellenson	Hansen	
Berman	Machtley	

□ 1824

Mr. DUNCAN changed his vote from "nay" to "yea."

So (two-thirds having voted in favor thereof) the rules were suspended and the bill as amended, was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

MARITIME SECURITY AND COMPETITIVENESS ACT OF 1993

The SPEAKER pro tempore (Mr. KIL-DEE). Pursuant to House Resolution 289, and rule XXIII, the Chair declares the House in the Committee of the Whole House on the State of the Union for the consideration of the bill, H.R. 2151.

□ 1827

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 2151) to amend the Merchant Marine Act, 1936, to establish the Maritime Security Fleet Program, and for other purposes, with Ms. BYRNE in the chair.

The Clerk read the title of the bill.

The CHAIRMAN. Pursuant to the rule, the bill is considered as having been read the first time.

Under the rule, the gentleman from Massachusetts [Mr. STUDDS] will be recognized for 30 minutes, and the gentleman from Texas [Mr. FIELDS] will be recognized for 30 minutes.

The Chair recognizes the gentleman from Massachusetts [Mr. STUDDS].

Mr. STUDDS. Madam Chairman, I yield myself such time as I may consume.

Madam Chairman, let me advise Members who may not know that there will be no further votes tonight. We are going to proceed to conclude general debate, and at the beginning of the reading of the bill under the 5-minute rule we shall rise and resume tomorrow with the amendment process.

Madam Chairman, today, this House will decide if American flags will continue to fly from vessels carrying this Nation's commerce.

Today, this House will decide if American shipyards will ever build another commercial vessel.

Today, this House will decide if American service men and women, sent to distant corners of the globe, will have the certainty they need that ammunition, medical supplies, and rations, will follow.

Today, this House will decide if the skills of working men and women of this Nation who build ships, and who are trained to run them, will be lost to us.

And finally, Madam Chairman, today, this House will decide if our Nation, the only remaining superpower on the planet, will be a maritime power or will simply and dangerously rely on the kindness of strangers to move our goods to market.

Our votes today will determine a new course for the national defense and economic security of the United States.

When this House approves H.R. 2151, the Maritime Competitiveness and Security Act—which I fervently trust that we will do—we will have set a course that not only rescues our maritime industries, but will make them fully competitive in international commerce.

While I cannot stand here and tell Members that American maritime programs of the past have been perfect, I will stand here until my last breath arguing that the new course we set in H.R. 2151 is necessary.

Those, who for years, have derided arguments that the United States

needs a merchant fleet to support our troops in time of war, had their eyes opened during the Persian Gulf war. This country had to charter foreign-flag ships to carry our military supplies to our troops.

What if we had not been fighting an enemy so roundly scorned by the world?

What if other nations had not allowed their ships to carry our cargoes?

What if—as indeed did occur—ships carrying critical supplies refused to enter the war zone?

We should never send young American men and women into battle with only the promise that we will try to deliver what they need to survive.

But America needs a strong merchant marine not just in times of war. We need one today, and we will need one tomorrow, to keep the American market free and independent.

With the end of the cold war, America's battles more and more will be fought on the economic bottom line, rather than the front line.

As the richest nation with the richest market on Earth, our trade cannot be held hostage to the whims of foreign competitors.

American goods must have the option of being carried to foreign markets on American ships. Without that option, those goods may never leave our shores. A foreign competitor, with an interest or influence in shipping, could easily eliminate competition by simply being unavailable or too expensive to ship U.S. products.

How many in this Chamber remember gas lines? How many remember the oil embargo? As an oil-consuming nation, the United States cannot be without the wherewithal to bring petroleum, or for that matter, any other critical import, to our consumers.

With U.S. flags flying from U.S. commercial ships, this will never happen.

The legislation that we bring you today—legislation that is the product of the bipartisan cooperation we unfailingly enjoy on our committee—will turn our existing maritime programs around, make them more cost-effective, and give this Nation the American ships and shipbuilding capacity that we must, let me repeat, that we must retain.

This bill reverses the downward trend in our maritime industry by establishing two new programs: the Maritime Security Fleet [MSF] Program for the U.S.-flag international fleet, and the Series Transition Payment [STP] Program for U.S. shipyards.

Ships in the Maritime Security Fleet Program will receive annual payments for 10 years, beginning in fiscal year 1995, to compensate American operators for the higher cost of doing business under the U.S. flag. These higher costs are a result of Federal requirements—such as the hiring of only U.S. citizen crews and higher safety and environmental standards.

If we do not compensate them for these higher costs and for making their vessels available when called upon by the Pentagon, then they are likely to flag their ships in a foreign nation. And who can blame them!

The Maritime Administration recently documented the extensive subsidies provided by 57 nations to their own shipbuilding and ship operating companies. In a perfect world, no nation would subsidize its companies, but this is not a perfect world. And, until it is, or until we have negotiated agreements with these countries to end subsidies, it is only fair that we ensure a level playing field for our maritime industry.

The bill does not specify the number of vessels that may be enrolled in the Maritime Security Fleet Program because we are working with the administration to make every dollar stretch as far as possible. We want as many ships in the program as we can get, to provide the maximum number of seagoing jobs and retain the cadre of trained merchant mariners needed to activate and sail our Ready Reserve Force in time of war or national emergency.

It should also be noted that to be eligible for the MSF Program, ships must be militarily useful, such as roll-on-roll-off vessels, containers, small tankers, or barge-carrying ships. Representative FIELDS and I will offer a committee amendment to provide an overall 10-year authorization level of \$1.2 billion, which is the level of funding supported by the President. If this figure does not permit all willing and eligible U.S.-flag vessels to participate, the bill allows U.S. carriers to operate other ships in their fleet under a foreign flag.

The bill also significantly deregulates the U.S. maritime industry to help it compete internationally. For example, under the current system, a U.S.-flag carrier must obtain permission from the Secretary of Transportation before moving a vessel to a new trading area or placing a larger vessel in a particular service. These types of Government approvals promote inefficiencies and hinder the ability of our operators to respond to changing markets.

This bill will also help U.S. shipyards move from building vessels for the Navy, to building vessels for domestic and foreign commercial customers. American shipyards have spent 10 years focusing on naval construction and have fallen behind the curve on commercial building, a market they must crack to survive.

Until the U.S. Trade Representative is able to negotiate a comprehensive agreement ending foreign shipyard subsidies, U.S. shipyards need our help to overcome the advantage foreign shipyards have gained from a virtual monopoly in commercial construction.

To compete, American yards must build ships in a series, that is, building

a number of ships of the same or similar design. That is what the competition does, and that is what our bill encourages U.S. shipyards to do, by making up the difference between the U.S. and foreign price. This program will be terminated once our yards can produce a competitive ship, a result that we believe can be accomplished over a 5- or 6-year period.

Although funds for the series transition program in all likelihood will not be available this year, it is important to get this program enacted now so that our shipyards can begin negotiations with new customers. In the coming months we expect to work with all interested parties to find sources of new revenue to pay for the STP Program.

Finally, Madam Chairman, we have cargo preference. I am the first to acknowledge that some reforms are needed, and this bill makes some of the changes necessary to make this program run more efficiently by making it run on commercial not Government terms.

Madam Chairman, the Merchant Marine and Fisheries Committee has worked long and hard to bring before the House a bill that will not only keep the U.S. maritime industry afloat but put the wind back in its sails.

I have met personally with the President and we continue to work closely with him on our proposal. I can tell Members, unequivocally, that he shares our commitment to maritime reform.

This is the right bill, this is the right time, and this is the right place to do the right thing, for not only the U.S. maritime industries, but for our Nation's economic and national security.

□ 1830

Madam Chairman, let me close my opening remarks by a bow to the ranking Member and to the Members on both sides of the aisle. I trust this House will be refreshed and surprised by the broad bipartisan support which will characterize this piece of legislation. It is absolutely essential. It is in the national interest, and for once I think we will see Members in this normally disparate and divided House speaking with one voice.

Madam Chairman, I reserve the balance of my time.

Mr. FIELDS of Texas. I yield myself such time as I may consume.

Madam Chairman, I rise in strong support of H.R. 2151, the Maritime Security and Competitiveness Act of 1993—a bill that could mean the difference between life and death for America's maritime heritage.

The Merchant Marine and Fisheries Committee has held countless hearings on maritime reform over the last decade. During this time we heard predictions that the U.S.-flag merchant fleet would be doomed unless we leveled the playing field by reforming our

outdated maritime laws. Some people called those predictions empty threats.

Those who doubted that the American merchant marine was in serious trouble certainly must have a new perspective now. In 1960, the United States ranked fourth in the world with over 1,000 ships. Today, with only 394 privately-owned vessels, we are ranked 16th behind such countries as Cyprus, Liberia, Panama, Malta, and China. Things are so bad that two of our most successful companies, Sea-Land and American President Lines, recently announced that they intend to reflag a number of their vessels. If these, or any other American ships, were to leave our fleet it would mean the loss of several thousand American seagoing jobs. The ships and the jobs would be gone forever. We must not let the United States, the most powerful Nation in the world and the largest maritime trading force in the world, to become a nation without its own merchant fleet.

The other arm of our maritime industry is shipbuilding. Those statistics are equally bleak and depressing. Between 1984 and 1990, U.S. shipbuilders received no new commercial orders for ships 1,000 gross tons and over. During this time, commercial orders in the international market were steadily increasing. As of September 1, 1993, there was only one privately owned vessel of over 1,000 gross tons under construction in a U.S. shipyard. In terms of the number of American jobs, the American shipbuilding industry has a major impact on both the national economy and regional employment. It has been estimated that unless there is a major effort to preserve the American shipbuilding industry, within a decade over 180,000 American jobs could be lost.

The demise of the maritime industry will also mean the loss of thousands of U.S. jobs. It will mean the depletion of a vital pool of trained seamen who man our Ready Reserve Force ships in times of international emergencies. We simply cannot depend on crews from Bangladesh, Pakistan, or any other foreign country to protect our national security. During the Persian Gulf war, more than 70 U.S.-flag vessels were used to transport badly needed military supplies to our troops. We were fortunate to have them because a number of foreign-flag vessels flying the flags of Germany, Japan, and the United Arab Emirates refused to enter the Persian Gulf. We should not have been surprised, though, because we had similar experiences during both the Vietnam war and the 1973 Arab-Israeli conflict, when foreign-flag ships routinely refused to carry American military cargoes.

We must not allow our national security to depend on the political whims and threats of other foreign nations. We must have a U.S.-flag fleet operated by skillful mariners. The men and women who operate our U.S.-flag ships

are hard working, dedicated, patriotic, taxpaying American citizens. They are well-trained individuals, among the best seafarers in the world. By law, they are required to maintain their licenses or other documents, and many of them routinely take Coast Guard examinations to upgrade their documents. They spend nearly half of the year at sea, and during that time they work 10 to 12 hours a day, 7 days a week performing their duties. They sail in treacherous weather risking their lives every day; they spend holidays and birthdays at sea; and the average annual wage, before taxes, for a typical able-bodied seaman is \$33,000. And if this is not enough, they have to listen to people say they make too much money.

Madam Chairman, there is no doubt that U.S.-flag vessels are more expensive to operate than so-called Third World flag-of-convenience ships. The reason for this cost differential is simple—the United States imposes significantly higher standards on our operators and our vessels than are imposed on our foreign competition. A foreign crew of 36 from a Third World country can be hired for \$650 per day, including benefits. That works out to about \$18 per worker per day. We have it on good information that working conditions aboard many flag-of-convenience vessels are sickening. We hear reports that denial of medical treatment, beatings, and inadequate safety equipment are the disgraceful norm rather than the exception.

We could bring our costs down if we eliminate our higher standards and water down worker protections, but these requirements are precious to us—they ensure that Americans have an adequate income, safe working conditions, and compensation in the event of injury. We could bring our costs down, but who among us is ready to exempt American operators from the requirements of the National Labor Relations Act, the Fair Labor Standards Act, insurance and liability laws, and U.S. Coast Guard regulations?

H.R. 2151 would eliminate many burdensome outdated requirements but not at the expense of fairness, and safety, and security for the American worker. This legislation seeks to eliminate restrictions that were placed upon American shipping companies in 1936—restrictions that had a purpose in their time, but now contribute to operational inefficiencies and higher costs. For example, U.S. operators are currently required to operate on strict, preestablished trade routes even though other routes would offer the prospect of additional cargoes, and, therefore, more revenue for their companies. This bill would abolish those trade route requirements.

H.R. 2151 would also establish two new promotional programs for the U.S. maritime industry—the Maritime Se-

curity Fleet [MSF] Program and the Series Transition Payment [STP] Program.

The MSF program offset offsets the higher cost of operating U.S. vessels essential for our economic and military security. It provides about \$200 million a year for 10 years to U.S. operators, which is about \$100 million a year less than the current operating-differential subsidy [ODS] program. With this reduced amount of operating support, coupled with the fact that H.R. 2151 places a cap on the amount of money any one vessel can receive in a given year, vessel owners would have major incentives to negotiate new labor agreements to reduce manning costs. Under the current ODS program there is no incentive to reduce cost because the Federal Government simply pays the vessel owner whatever the negotiated labor contract requires.

H.R. 2151 would also benefit the U.S. shipbuilding industry by helping it convert from construction of military vessels to the construction of world-class commercial vessels. The STP Program would serve to promote the series construction of vessels—a concept that Japan proved to be enormously profitable long ago. Under this program American shipyards would receive funding, on a declining scale, for the construction of two or more commercial vessels of the same type. Although the initial cost is envisioned to be around \$200 million per year, this program is designed to be transitional, and costs are expected to be reduced over time. Funds could appropriately come from re-allocated Department of Transportation or Defense Programs.

However, the key point is that this STP Program would ensure that the United States has a viable shipbuilding industry capable of building and repairing ships for international commerce and the U.S. Navy. Once a shipyard and its work force of highly skilled employees are gone, it is very unlikely that it will ever open its doors again.

While there is a cost attached to this legislation, in my judgment, it is a justified expense; it is a critical investment in an infrastructure essential to our Nation's economic and national security. H.R. 2151 is a finely crafted bill—the product of many years of careful deliberation—that is supported by every Republican member of our committee. Most of us will readily concede that this is not perfect bill, nor is it the last word on maritime reform. But it is a beginning.

For the past 200 years, our Nation's merchant marine has delivered troops and vital war supplies to every world conflict from Guadalcanal to the Persian Gulf. Our success in winning these conflicts is owed in no small part to the invaluable contributions of these mariners. Unless H.R. 2151 is approved, I have grave doubts that this fourth arm of defense will be available in the future.

It is our best, if not last, hope of saving the U.S. maritime industry. Without this bipartisan legislation, the U.S. maritime industry will largely disappear, and the most powerful Nation on earth—the United States of America—will become totally dependent upon foreign shipping interests. We must not let U.S.-flag vessels and American merchant seamen become forgotten memories of the past.

□ 1840

Madam Chairman, I urge all Members, but particularly Republican Members, to support this legislation, to vote aye on final passage.

In closing, I want to pay special tribute to our chairman, the gentleman from Massachusetts [Mr. STUDDS] who I think has maneuvered this legislation and given us a very delicate balance in a simple way and brought this to the floor in a bipartisan manner.

I also want to pay tribute to the chairman of the Subcommittee on Merchant Marine of the Committee on Merchant Marine and Fisheries, the gentleman from Illinois [Mr. LIPINSKI], and also the ranking Republican member, the gentleman from Virginia [Mr. BATEMAN], because this is an essential piece of legislation brought to the floor in what I think is an expeditious manner.

Again, Madam Chairman, I encourage all Members to support its passage, and particularly our Republican Members.

Mr. STUDDS. Madam Chairman, I yield 3 minutes to the distinguished chairman of the Subcommittee on Merchant Marine of the Committee on Merchant Marine and Fisheries, the gentleman from Illinois [Mr. LIPINSKI].

□ 1850

Mr. LIPINSKI. Madam Chairman, as the world's largest trading Nation, the United States must have a strong commercial fleet. Allowing our maritime industry to die would be a tragedy. Losing our merchant marine would threaten our economic viability and national security. We must act now.

The leadership of the Merchant Marine and Fisheries Committee introduced H.R. 2151 to revitalize our maritime industry. H.R. 2151 would establish a comprehensive maritime policy. The bill ensures that ships are built in the United States and fly the U.S. flag.

H.R. 2151 authorizes the Secretary of Transportation to pay a subsidy to U.S.-flag vessel owners and operators that compete in international trade. The subsidy would replace the Operating Differential Subsidy Program.

To stimulate U.S. commercial shipbuilding, H.R. 2151 establishes the Series Transition Payment Program. Foreign subsidized shipyards have a competitive advantage over U.S. shipyards. Our program would encourage U.S. shipyards to engage in the series construction of ships and make our ship-

building industry competitive in the world market.

Madam Chairman, I assure you that our maritime industry, which employs thousands of American workers and pays millions of dollars in U.S. taxes, is worthy of our earnest consideration of this revitalization package.

In closing, I would like to take this opportunity to thank my colleagues, the gentleman from Massachusetts [Mr. STUDDS], the gentleman from Texas [Mr. FIELDS], and the gentleman from Virginia [Mr. BATEMAN], for all the time and hard work they put into this legislation.

Mr. FIELDS of Texas. Madam Chairman, I yield 2 minutes to the gentleman from Alaska [Mr. YOUNG], a quiet and demure Representative.

Mr. YOUNG of Alaska. Madam Chairman, I rise in strong support of H.R. 2151, and the chairman and ranking member, and, I am sure, the gentleman from Virginia [Mr. BATEMAN] will, and the gentleman from Illinois [Mr. LIPINSKI], have said it all, but I want the people that might vote against this legislation to consider one thing.

In 1945, Madam Chairman, America was No. 1 in the merchant marine fleet. Today we are 16th. This is the last chance for this Congress to bring forth to the people of this Nation a bill to maintain and build on our merchant marine fleet.

I can tell my colleagues, as the only person in this room, I believe, who is actually licensed to be a captain, that it is crucially important that we have American-crewed ships, captains and mates, and ships built here, American bottom ships, so we can take and move our troops and move our supplies. But it has disturbed me a great deal over the years when I hear people say we are just subsidizing the industry, and I challenge anyone who says that. Most all industry somewhere or another has been subsidized by this Congress, be it the farmer, the trucker, whoever it may be. They are involved in some type of subsidy. But we have forgotten the merchant marine fleet, and I think it is a travesty that we are one of the largest, if not the largest, importing countries in the world, and we are the largest exporting country in the world, and we are now ranked 16th.

Madam Chairman, that means that most goods that are brought into this country are brought in by foreign fleets, foreign crewed, terrible conditions, and most are shipped out of this country by foreign crews and foreign bottoms in terrible conditions. I think it is time that this Congress speaks out loud and clear, and they can do so with H.R. 2151.

This is bipartisan legislation. It is supported strongly by the committee. We have worked out the differences, and, as amendments come to this floor outside of the committee, I hope the Members consider what it will do to this legislation.

Madam Chairman, it is time that we have a good merchant marine again in America.

Mr. STUDDS. Madam Chairman, I yield 3 minutes to the gentleman from Virginia [Mr. PICKETT].

Mr. PICKETT. Madam Chairman, I rise in strong support of H.R. 2151, the Maritime Security and Competitiveness Act of 1993, and I want to thank the chairmen of both the committee and the subcommittee, and also the ranking members, for the fine work that they have done in bringing this bill to the floor, and I do hope that the Members will support it in the form that the committee has reported it.

Madam Chairman, this legislation is needed and it is needed now. If we as a nation are to have a viable American flag merchant marine, concerted action this year by the President and Congress is essential.

The two largest American liner operators have stated that the economics of operating their vessels under the American flag will compel them to withdraw their vessels from the U.S.-flag fleet starting in 1995 unless reforms are implemented to help U.S.-flag operators compete in world markets. If this does happen the Maritime Administration projects that the loss of these two carriers could result in a U.S. container fleet in the year 2005 of only 18 ships.

This Nation has neglected its merchant marine for too long. The fact that privately owned U.S.-flag commercial ships now carry less than 5 percent of this country's overseas trade should, in itself, be cause for alarm.

The precipitous decline in our merchant fleet is easily measured. In 1945 there were about 3,500 ships in the privately owned U.S.-flag fleet. That number fell to 1,082 in 1950; to 945 in 1960; to 770 in 1970; to 527 in 1980; to 467 in 1990 and, if Marad's projection is correct, could fall to fewer than 100 by the year 2000.

Today, we are the only major maritime nation in the world that depends almost entirely on the ships and crews of other nations for the carriage of our exports and imports. The shipping cost of transporting U.S. exports and imports exceeds \$20 billion per year and adds significantly to America's trade deficit.

The decline of the U.S.-flag merchant marine has been accompanied by a decline in all related U.S. maritime industries, including shipbuilding and ship repair. Our national security is threatened if we are unable to sustain a shipbuilding and ship repair capability to meet the essential needs of the U.S. Navy.

H.R. 2151 provides this administration and this Congress with a coherent maritime plan today that is acceptable to all components of the maritime industry. This plan, if enacted by Congress and signed by the President, will

serve to help preserve the U.S.-flag merchant marine and allow this country to continue to be counted as a maritime nation.

This bill represents the very minimum that must be done to begin the job of revitalizing our merchant fleet. It is a product of substantial negotiations and careful drafting that has wide support among the components of our maritime industries. It is essential for our Nation and I urge all Members to support it.

Mr. FIELDS of Texas. Madam Chairman, I yield 9 minutes to the gentleman from Virginia [Mr. BATEMAN], the ranking member of the Committee on Merchant Marine and Fisheries.

Mr. BATEMAN. Madam Chairman, I will not repeat those points made by my predecessors. However, I do wish to publicly thank once again Chairman LIPINSKI for his persistence and hard work.

It has been, perhaps, the most bipartisan effort I can remember. And that is saying something given the length, complexity, and controversy surrounding this particular piece of legislation. This is really a culmination of some 6 years of hard work by this committee.

I would be remiss if I did not also express my appreciation to the gentleman from Massachusetts [Mr. STUDDS] and our ranking Republican, the gentleman from Texas [Mr. FIELDS] for their leadership on this most important piece of legislation.

Compromise has been a key ingredient and as a result, I really believe that we have developed a proposal which both maritime labor, the operators and yes, the shipyards can, in fact, endorse.

For me, enactment of a series transition program is critically important and I am indeed pleased that it is part of this package. Certainly there are those who believe that all U.S.-flag vessels should be built in U.S. shipyards. I am one of those Members—but I also recognize that holding the operator segment hostage is not the answer.

Madam Chairman, the subcommittee added provisions which I believe offer a viable, yet reasonable opportunity to build ODS-eligible vessels in U.S. shipyards. Simply stated, if our series transition program is funded, then our shipyards can and will be competitive players in the world shipbuilding market. The provisions in H.R. 2401, the fiscal year 1994 DOD authorization bill, will also help. But to prevent a Sea-land, or an APL or a Lykes from ever having an opportunity to fly the U.S. flag with U.S. crews serves no one's interests.

The Series Transition Payment Program is terribly important to those members who have shipyards in their districts. With minimal commercial construction in U.S. shipyards and the decrease in U.S. Navy contracts, it has been estimated, if we in the Congress

do nothing, that over 180,000 skilled jobs will be lost in U.S. shipbuilding, ship repair, and marine equipment manufacturing industries within the next 6 years.

Let me take a few minutes to explain the elements of the Series Transition Payment Program. In simple terms, this program authorizes the Secretary of Transportation to pay for the difference in cost between building a vessel which is one of a series, in a U.S. shipyard and building that same vessel in a foreign shipyard. A similar construction program in the 1970-80 time-frame resulted in a tremendous number of ships being built in U.S. shipyards. With the defense buildup in the earlier 1980's, our shipyards were essentially converted to naval shipyards. These naval ships were often one of a kind, and highly sophisticated both in terms of design and weaponry.

While our shipyards were committed to a naval building program, our foreign competitors were building commercial vessels. These commercial vessels were not one of a kind but instead were of similar design and specifications. This is a critical difference, because in shipbuilding, as in any heavy industrial production process, efficiencies are obtained by producing the same item over and over again. Not only will the labor force become more efficient, but the infrastructure, that is assembly line, robotics, et cetera, will remain the same. The need for the costly retooling of your assembly line is virtually eliminated—and, in fact, is amortized over a greater number of vessels.

Our foreign competitors have, in effect, been building commercial vessels in series for the last 10 years. Typically, the learning curve cost savings over the first four to five ships in a series before it flattens out, is in the 20-25 percent range. The savings in man-hours between the first ship in a series and later ships is well documented. A well-known naval architect, Dr. Lloyd Bergeson, analyzed man-hour data compiled from 15 shipyards that were dedicated to the construction of Liberty ships in World War II.

The average man-hours per ship for all 15 shipyards for the first ship in the series was 1,120,000. The fourth ship in the series averaged 725,000 man-hours and the eighth ship averaged 590,000 man-hours.

In another study comparing United States and Japanese shipyards, the author, Dr. Howard Bunch concluded that the Japanese comparative performance advantage was:

*** traceable to the fact the Japanese yards have developed concepts of standardization and modularization that permit a large portion of the design and engineering activities to be essentially the retrieval of the documentation from files.

Standardization of designs and overcoming the learning curve are the twin goals of the STP Program.

Let me comment on two other points concerning the current STP proposal. First, as drafted, priority for award of contracts is given to those shipyards that can reach the world market price with the fewest number of vessels in the series and with the smallest contribution from the Federal Government. Thus unlike the old Construction-Differential Subsidy Program [CDS], the STP Program establishes intra U.S. shipyard competition. Second, a U.S. shipyard that seeks a transition payment must have two contracts in hand before applying for aid and must demonstrate that upon completion of the vessels in the series that it will be capable of constructing additional vessels of the same type at the world market price and without assistance.

Now with respect to labor rates, our shipyards are, in fact, competitive now. For instance, the average per hour wage level in Germany is \$26.50. In Italy, the average hourly wage in 1990 was \$19.22. In Japan, the wage level was \$15.80 per hour, in the United States the wage level was \$15.50 per hour. Wages are no more a problem than they are for BMW or Mercedes who are relocating their plants to South Carolina and Alabama, respectively.

If we can, in fact, overcome the learning curve through the STP Program, then I am personally convinced we can once again become a major shipbuilding power.

Finally, I do not want to mislead anyone here today. The STP Program will not, without more congressional action, suddenly end our foreign competitors 10-year monopoly of commercial shipbuilding.

You should also note that our committee has not requested a specific funding level for the Series Transition Program. This is a conscious decision on our part. First, because negotiations are currently taking place in Europe between the United States and the European Community concerning shipbuilding, we did not want to tie the hands of the President in those negotiations. In simple terms, the appropriation level requested in the President's budget for fiscal year 1995 will be dependent on the outcome of these negotiations. If the negotiations are successful, then we will need to fund a smaller sum of money to overcome the learning curve phenomenon. If, however, our competitors continue their subsidies, then we will need to look at a higher number.

The actual funding levels for the STP Program will not come until fiscal year 1995 and, of course, will be subject to additional debate and additional votes.

Many of you hear in statement after statement that we have effected a delicate balance—and that we cannot change this section or that section—or the whole bill will become unraveled.

With respect to the current U.S. shipbuilding requirements in H.R. 2151, I

sincerely believe we have a true compromise that deserves a chance to work. I know the vast majority of our U.S. shipyards are willing to make these provisions work. I think most of the operators can work within this framework. I just hope that my colleagues and the administration will give it a chance.

□ 1900

Mr. STUDDS. Madam Chairman, may I inquire how much time each side has remaining?

The CHAIRMAN. The gentleman from Massachusetts [Mr. STUDDS] has 16 minutes remaining, and the gentleman from Texas [Mr. FIELDS] has 9½ minutes remaining.

Mr. STUDDS. Madam Chairman, I yield 2 minutes to the gentleman from Texas [Mr. ORTIZ].

Mr. ORTIZ. Madam Chairman, I rise today in strong support of H.R. 2151, the Maritime Security and Competitiveness Act of 1993.

I particularly want to recognize Chairman STUDDS and the ranking member, Mr. FIELDS, for their foresight on this matter and their dedication and commitment to our maritime industry.

I would also like to commend the chairman and ranking member of the subcommittee, Mr. LIPINSKI and Mr. BATEMAN, for their efforts in this regard.

This maritime reform and revitalization program is vital to the future of our U.S.-flag merchant fleet and shipbuilding industry.

The Maritime Security Fleet Program will increase the ability of our commercial fleet to compete internationally, and just as importantly, will ensure that our nation has available an adequate defense sealift capability should it be needed.

The Series Transition Payment program will promote the transition of our shipyards from military to commercial vessel construction by providing short-term declining payments for series construction to help U.S. shipyards learn how to compete internationally in commercial vessel construction.

Finally, the bill eliminates a number of regulatory provisions that decrease the competitiveness of our U.S. fleet and calls for a number of administrative reforms to the cargo preference program designed to improve its efficiency and reduce its cost.

If you care for the future of our maritime industries and for the preservation and creation of American maritime jobs, I urge my colleagues to support passage of this bill and to oppose any amendments which may be offered that would hurt the effectiveness and integrity of this legislation.

Mr. STUDDS. Madam Chairman, I yield such time as she may consume to the gentlewoman from Washington [Ms. CANTWELL].

Ms. CANTWELL. Madam Chairman, I rise in support of H.R. 2151.

Madam Chairman, I rise today in support of H.R. 2151, the Maritime Security and Competitiveness Act of 1993. Madam Chairman, America must have maritime reform. What is at stake is nothing less than the survival of the U.S. merchant marine and shipbuilding industries and America's national security.

If America loses its merchant fleet, we will be at the mercy of foreign governments. We will be trading our national security for national vulnerability.

Madam Chairman, we do not have far to go before we could face such a calamity.

Between 1965 and 1993, the number of American jobs on large, privately owned oceangoing U.S.-flag vessels decreased from about 51,000 to just over 9,000. The number of oceangoing U.S.-flag vessels operating in foreign trades dropped from about 620 ships to a mere 151. These losses are the result of competition from heavily subsidized foreign vessels. This bill will give our U.S. maritime fleet the opportunity to compete on a more even playing field and give them a fighting chance against foreign competition.

Because the United States failed to help U.S. shipyards remain competitive as foreign governments began instituting generous subsidies for their shipyards, orders for commercial vessels in U.S. shipyards virtually disappeared during the past 11 years. The loss of commercial business has caused approximately 50 U.S. shipyards to close their doors since 1982, a loss of 40,000 American jobs. On the West Coast, 11 shipyards have closed their doors since 1982 with the loss of 14,500 American jobs.

If we fail to support this bill and institute maritime reform, it is estimated that we will lose another 180,000 jobs during the next 6 years—a loss that may permanently cripple or destroy the U.S. merchant marine and shipbuilding industries.

H.R. 2151 will provide a comprehensive program of support to help strengthen the U.S. merchant marine and U.S. shipbuilding industries. That support is essential, not only to help U.S. shipyards and U.S. companies that employ U.S. crew members and operate U.S.-flag ships remain competitive with foreign shipping and shipbuilding companies, but also to survive.

I understand the importance of a vital maritime industry. Washington State is the most trade reliable State in the Nation, leading the Nation in per-capita exports. With less than 2 percent of the U.S. population, Washington state produces approximately 8 percent of all U.S. exports—more than \$74 billion worth each year—and handles more than 7 percent of all U.S. imports. Do we want a future where all those exports are transported on foreign vessels? Would we tolerate U.S. airpassengers flying only on foreign carriers? Why would we settle for U.S. products traveling only on foreign carriers.

Madam Chairman, I want to commend the leadership and commitment demonstrated by Chairman STUDDS and ranking minority member FIELDS of the full committee and Chairman LIPINSKI and ranking minority member BATEMAN of the subcommittee on this issue. It is because of their efforts that we have before us

a measure which has the enthusiastic, bipartisan support of the Merchant Marine and Fisheries Committee. I urge my colleagues to take a vote today in support of U.S. jobs, in support of U.S. industry and in support of U.S. competition in the world marketplace. I urge my colleagues to vote in support of H.R. 2151.

Mr. FIELDS of Texas. Madam Chairman, I yield 2 minutes to the gentleman from South Carolina [Mr. RAVENEL].

Mr. RAVENEL. Madam Chairman, today, the House has a unique opportunity to save an important industry, one that has seen many sunsets in its day and one that has provided our Nation an invaluable service for many years. The U.S. maritime industry is vital to the economic stability and defense of our country. Unfortunately, if this maritime reform bill, H.R. 2151, does not survive, the Sun will set on this industry for a long, long time.

Therefore, I rise in strong support of the Maritime Security and Competitiveness Act of 1993.

I want to commend the leadership of the Merchant Marine and Fisheries Committee for their hard work in developing this bipartisan endeavor which, hopefully, will head to the rebuilding of our maritime industries.

Madam Chairman, the centerpiece of H.R. 2151 is the creation of a maritime security fleet program, which will replace and improve upon the existing operating-differential subsidy situation. Ultimately, this will reduce the cost to the Federal Government and offer U.S. vessel operators incentives to improve efficiencies and lower their costs.

Madam Chairman, H.R. 2151 is the most important piece of maritime legislation to be voted on in the Congress in more than a decade. Therefore, I strongly urge my colleagues to support and vote for it.

□ 1910

Mr. STUDDS. Madam Chairman, I yield 1 minute to the gentleman from Florida [Mr. HASTINGS].

Mr. HASTINGS. Madam Chairman, I rise today to express my strong support for H.R. 2151, the Maritime Security and Competitiveness Act.

H.R. 2151 was introduced by the bipartisan leadership of the Merchant Marine and Fisheries Committee and reported to the House with unanimous consent. This legislation will ultimately benefit American business, American labor, and the economic and military interests of our country. In recent years we have abandoned many maritime policies and consequently are paying for these decisions. We cannot allow for any further depletion of our U.S.-flag merchant fleet.

Our great Nation was founded on the strengths of a superior merchant marine and this legislation will add new vessels to our aging fleet. Furthermore, we cannot ignore the fact that

under current U.S. maritime policy, U.S. flag carriers are grossly disadvantaged against our foreign competitors because of costs levied by our own Government. H.R. 2151 addresses these important problems and offers a comprehensive resolution to serve the best interests of our country.

Mr. FIELDS of Texas. Madam Chairman, I yield 2 minutes to the gentleman from Massachusetts [Mr. TORKILDSEN].

Mr. TORKILDSEN. Madam Chairman, I rise in strong support of H.R. 2151, the Maritime Security and Competitiveness Act. The U.S. maritime industry is in crisis. Foreign competition is subsidized, and the number of ships flying the U.S. flag is rapidly declining. As American shipyards are closing, people are losing jobs. H.R. 2151 will help stop the decline, and allow the U.S. maritime industry to compete.

Why should we preserve our American-flagged fleet? Aside from the economic benefits to those who make their living in American shipyards, H.R. 2151 is essential to our national defense. The military has long depended on merchant marine vessels for transport during war, supplying our men and women overseas. While the military threat is greatly reduced with the demise of the Soviet Union, there is still a very real threat to United States security, as the invasion of Kuwait and the resulting Persian Gulf war demonstrated.

One of the lessons learned from the Persian Gulf war is that we cannot rely on foreign vessels to carry our military supplies during wartime. Of all the ships chartered by the Department of Defense to carry food, weapons, and supplies to our soldiers fighting in Kuwait, over half flew foreign flags. While world opinion in condemning the invasion of Kuwait allowed us to support our troops with mostly foreign-flagged vessels, it would be foolish for us to believe this will always be the case. In history, there are many examples in which foreign vessels, under contract with the Department of Defense to carry U.S. military supplies, simply refused to enter a war zone. In a conflict that does not have near unanimous international support, a strong U.S. domestic fleet of transport ships will be essential to supply our men and women in uniform.

The U.S. merchant marine fleet has served our country well from World War II to Desert Storm. In our own interest, we must support an industry that is vital to our national security. I urge all my colleagues to support this commonsense legislation.

Mr. STUDDS. Madam Chairman, I yield 3 minutes to the gentlewoman from California [Ms. SCHENK].

Ms. SCHENK. Madam Chairman, I thank the gentleman for yielding time to me.

I rise in very strong support of the Maritime Security and Competitive-

ness Act. The gentleman from Massachusetts [Mr. STUDDS], the gentleman from Texas [Mr. FIELDS], the gentleman from Illinois [Mr. LIPINSKI], and the gentleman from Virginia [Mr. BATEMAN] are owed a huge vote of thanks from all of us for their hard work and their bipartisan, and let me emphasize bipartisan, leadership in bringing this important legislation to the floor.

Madam Chairman, the subject under debate here is whether or not the United States will have a maritime industry to call its own or whether we become totally dependent on foreign-owned, foreign-built, and foreign-crewed vessels to ply our international trade.

I cannot conceive of the United States without a merchant marine fleet, but we are certainly headed in that direction unless this Congress adopts a policy of supporting U.S. shipbuilders and shipbuilders.

It is a mystery to many Americans, and especially to this American, why we have allowed the United States to lose its maritime primacy and supremacy—a position it has maintained for most of this century.

Early in the 1980's, at a time when other nations were expanding their subsidy programs, President Reagan and the Congress eliminated the subsidy which had helped U.S. shipyards provide the ships necessary to sustain a U.S.-owned, U.S.-built maritime fleet. The dream of a 600 ship Navy provided work for some American shipyards, but many others closed or retrenched—with the loss of over 100,000 jobs. As of September of this year, only one cargo ship was under construction in a U.S. shipyard—only one.

Madam Chairman, I do not understand why anyone would think it good public policy to allow an industry as vital to commerce as shipping and shipbuilding to be shipped offshore, but that is what we do if we fail to adopt a national maritime policy.

H.R. 2151 will assist the U.S. shipbuilding industry to reenter the commercial market and build vessels for the United States and the international markets at competitive prices.

H.R. 2151 is good for this country. It is necessary for this country, and I urge all of my colleagues to support this measure.

Mr. FIELDS of Texas. Madam Chairman, I yield 2½ minutes to the gentleman from California [Mr. CUNNINGHAM].

Mr. CUNNINGHAM. Madam Chairman, I rise in strong support of H.R. 2151.

Madam Chairman, I could count on one hand the number of bills that have set aside political agenda for the good of Americans. This is one of those bills. Thanks to the gentleman from Massachusetts [Mr. STUDDS] and the gen-

tleman from Texas [Mr. FIELDS] for their leadership and the bipartisan environment that they allow us to operate in that committee.

I would, however, like to address section 5 of H.R. 2151, entitled "Elimination of Construction Differential Subsidy," titled CDS.

This section would change current law to release certain vessels from the restrictions agreed to by their owners as a condition of receiving Government construction subsidy. What does this really mean?

Among those restrictions is a requirement that subsidized vessels operate exclusively in foreign trade. This restriction is intended to protect both the operators of unsubsidized vessels in the protected domestic trades and our domestic shipyards that have exclusive right to supply vessels for domestic trades.

Section 5 would change this requirement for liner vessels, that is, the general cargo vessels that are now operated on regular routes between the United States and foreign countries, when they reach the age of 25 years. Section 5 would allow such overage vessels to operate without restriction in the domestic trades.

At markup, I offered, and then withdrew at the request of the committee leadership, an amendment to delete section 5. I had considered offering the same amendment at this time, but decided not to do so after reviewing carefully the committee's understanding of section 5 as reflected in the committee report.

That is, that section 5 is strictly limited to liner vessels; that its enactment does not affect the application of the domestic trading restrictions for other vessels; and that the affected domestic operators have agreed to the section because of the protection provided to them in other parts of the bill.

This leaves to the Department of Transportation and, perhaps, ultimately, the courts, the proper application of domestic trading restrictions.

□ 1920

The continued application of the domestic trading restrictions is extremely important to our domestic shipyard base, as those shipyards undergo the difficult transition from primarily military construction to building for the commercial market. One bright spot for the shipyards, for example, is the expected new construction of double-hulled vessels that will soon be required under OPA '90. Allowing tankers built with Government subsidy for exclusive use of foreign trades to gain unrestricted access to the domestic trades would not only jeopardize the main hope for saving our shipyards, but would also undermine the goals of OPA '90.

Mr. STUDDS. Madam Chairman, I yield 2½ minutes to the gentleman from Texas [Mr. GENE GREEN].

Mr. GREEN of Texas. Madam Chairman, our Nation is in vital need of a reaffirmation of maritime policy. As we embark on an era of more global trade we must realize that our maritime fleet will provide the means by which much of our future trade will be conducted.

During the 1980's we watched as one program after another which were designed to promote a U.S.-flag maritime industry were either not funded, underfunded, or just ignored. No new programs were enacted in their place. In my district in Houston, our seafarers are worried that a major shipline, Sealand, will be forced to reflag their vessels foreign unless major changes in U.S. policies are made. H.R. 2151 will keep Sealand ships coming into Houston and keep our American seamen working.

H.R. 2151 will also encourage the development of a modern fleet under the U.S. flag that will respond to U.S. national security and contribute to the Nation's economy. During Desert Storm the Port of Houston, which I represent, handled more tonnage than any other port. This tonnage was being shipped out on American ships. If we do not pass H.R. 2151 we will be forced to use foreign flag vessels for our Nation's security and we will put American seamen out of work.

H.R. 2151 will benefit the Port of Houston tremendously. The Port of Houston is the fourth largest port in the Nation. Having a strong U.S.-flag fleet will create competition necessary in the international marketplace. H.R. 2151 will create a healthier climate for international trade thereby strengthening the competitiveness of the Port of Houston.

There are over 50 other nations that have programs in place to maintain a fleet under their flag according to a September 1993 report of the Maritime Administration. These nations provide direct assistance to vessels under their flag which ensures that they remain competitive in international markets.

Every major maritime nation gives some type of assistance to their fleets. Many developing nations look at a merchant fleet as a means of earning quick revenues. It would be foolish for this Nation not to respond to the maritime practices of other countries. As the world's largest trading nation, every fleet throughout the world wants a piece of our action. I do not blame them; in fact, I believe it is good for our overall trade picture. The American-flag fleet should also have piece of the American action. Reaffirmation of maritime policy through the passage of H.R. 2151 will encourage a U.S.-flag presence. It is sound maritime policy, sound national policy and I urge its adoption.

Mr. FIELDS of Texas. Madam Chairman, I yield the balance of my time to close debate on this side to the

gentlewoman from Maryland [Mrs. BENTLEY].

Mr. STUDDS. Madam Chairman, I yield 3½ minutes to the gentlewoman from Maryland [Mrs. BENTLEY].

The CHAIRMAN. The gentlewoman from Maryland [Mrs. BENTLEY] is recognized for 7 minutes.

Mrs. BENTLEY. Madam Chairman, I rise in strong support of the bill.

First, I want to take this opportunity to commend and applaud Mr. STUDDS, the distinguished chairman of the Merchant Marine and Fisheries Committee, for his outstanding leadership in bringing this legislation to the floor today.

I also want to commend my special friend, the gentleman from Texas [Mr. FIELDS], the ranking Republican on the full House Merchant Marine and Fisheries Committee, my good friend from Chicago, Mr. LIPINSKI, chairman of the Merchant Marine Subcommittee, and my dear friend, the gentleman from Virginia [Mr. BATEMAN], the ranking minority member on the subcommittee, for their hard work.

Collectively, and I want to emphasize in a bipartisan fashion, the leadership of the Merchant Marine and Fisheries Committee has dedicated their energies to develop a comprehensive piece of legislation designed to save, preserve and, hopefully, rebuild our maritime industries. They have succeeded in H.R. 2151, the Maritime Security and Competitiveness Act, which we will be voting on shortly.

Madam Chairman, too often, particularly in peacetime, the private, commercial U.S. merchant marine is the forgotten arm of our military; and its contributions in bringing price stability and competitiveness to our international trades is rarely recognized.

With the age of space travel just over the horizon and the ability of instant communications ever shrinking the world in which we live, the romance of the sea is seldom seen or expressed. To most people, the sea is reruns of the Love Boat television series, which, I hasten to add, particularly for my dear friend from Iowa, continues to be an excellent show. The true significance of the U.S. Merchant Marine, Madam Chairman, is lost, even on many of our colleagues; lost that is until the United States finds itself—as it did in the Persian Gulf—embroiled in a large military operation.

Everyone prides themselves on the success of the Persian Gulf war—the 100 hours ground war. It was a textbook war. A Hollywood scriptwriter could not have written a better screenplay. Everything—like in the movies—went right.

What everyone overlooks, even ignores, is the luck that was involved in the ultimate outcome of Operation Desert Storm; luck that Saddam Hussein, after invading Kuwait, patiently waited for the United States to develop

a coalition of support in the United Nations; waited patiently for the United States to coddle and sometimes bully Middle East nations into joining that delicate coalition; and, most importantly, in terms of bloodshed and precious life, waited patiently while the United States completed a military buildup of forces, ordnance, and supplies in such size and scope that had not been since World War II.

That buildup gave the United States and its coalition of forces the ability to complete the herculean military operation that is unprecedented in U.S. history.

But that military victory—which has blinded all of us of the need to rebuild our merchant marine—would have been impossible, without the loss of thousands of U.S. lives, if the United States merchant marine had been forced to go it alone.

That military buildup would have been impossible because the United States does not now have a sufficient number of ships, either in the commercial fleet, the reserve fleet or in the Government-chartered fleet to carry that volume of cargo, nor does the United States have a sufficient number of seamen to man the number of vessels required for such an operation—that is, unless Saddam Hussein had been willing to sit in the Kuwait desert until 1999 or some other, equally absurd length of time.

There may be some debate, but there is little question that the United States did not need the military assistance of the coalition of nations to fight and win the war; and there absolutely is no question that the United States critically needed the more than 215 foreign flag ships the Navy's Military Sealift Command was forced to charter during Operations Desert Shield and Desert Storm.

Madam Chairman, it is fitting that H.R. 2151, a major piece of legislation, is brought forth near the end of the 20th century, for it was in the 20th century, during the 1940's, that the United States saved the world from the Nazi-fascist axis by producing 6,000 ocean going ships—liberties, victorys, T-2 tankers; C-3's and C-4's in 4 short years.

And as a result this country proved that an ongoing industrial base made it possible—and provided good jobs for skilled and unskilled men and women in this country.

The ships that slid down the ways proudly waved the Stars and Stripes, all that because of the Merchant Marine Act of 1936.

The next time a real effort was made to infuse real blood into the fleet was the Merchant Marine Act of 1970. During the 1970's, the industrial base hummed once more and Americans had important shoreside and seagoing jobs available to them.

That was the second effort, and it worked.

Now we have H.R. 2151, the third Maritime Security and Competitiveness Act of the 20th century, which will carry this country proudly into the 21st century on the high seas, and in our Nation's seaports we will be able to view the Stars and Stripes proudly flying again on modern ships built in American yards by American workers.

There will be important jobs in the urban shipyard-oriented cities for the skilled and unskilled as our industrial base makes a vital comeback.

As I said earlier today this is the first bill in a quarter of a century that provides more than a Band-Aid to a hemorrhaging fleet. It is real; it is what America needs.

What anticargo preference advocates would have us believe, what the Navy and its Military Sealift Command, with its growing fleet of reserve and active vessels would have this Chamber believe, is that the Coalition that was so successful during the Persian Gulf war always will be there.

The opponents want you to believe, Madam Chairman, that the United States should and must place the future of our Nation, the future of children, into the hands of foreign governments—that our concerns and causes always will be their concerns and causes.

Madam Chairman, history has taught me to place my trust and faith into the hands of God and the American flag—not in the hands of foreign governments or foreign seamen, whose lack, and total absence of loyalty to the United States, already is well documented in every war in which they have been employed.

The United States continues to need a private fleet of merchant ships to support our Armed Forces; in fact, we need a merchant fleet now more than ever. Today, there are regional conflicts which, tomorrow, could involve our young men and women in uniform.

I want to encourage my colleagues to support America by voting for the Maritime Security and Competitiveness Act and to oppose all amendments that may be offered, except, of course, one technical amendment to be offered by Chairman STUDDS and Mr. FIELDS.

Mr. STUDDS. Madam Chairman, I salute the gentlewoman from Maryland [Mrs. BENTLEY] for her tireless and very longstanding fight in this effort.

Madam Chairman, I yield 3 minutes to the gentleman from Mississippi [Mr. TAYLOR].

Mr. TAYLOR of Mississippi. Madam Chairman, I want to thank the gentleman from Massachusetts [Mr. STUDDS] for yielding time to me.

For the people of America who are watching this debate tonight, they are probably being dumbfounded by statistics, and more than anything, dumbfounded by how much this great Nation has lost its maritime base.

□ 1930

On the day that I was born we were the world's greatest maritime power. Last year this great Nation did not build one merchant ship.

The Croatians, in the middle of a war, built 30. The nation of Malta built 4, the nation of Vietnam built 1. The Japanese built over a third of all of the ships built in the world, but this Nation did not build one.

I want to commend Chairman STUDDS for the vitality he has brought back to this community, and I want to thank the ranking minority member, and the subcommittee chairman, Mr. LIPINSKI.

But this bill has got a flaw, a flaw that I hope my colleagues will help me address tomorrow, which is the fact that we will take American taxpayer dollars from the 180,000 people who work in this Nation as either shipbuilders or people in shipbuilding-related industries and use that to subsidize 4,000 jobs on operating differential subsidy ships that were built overseas. Let me see if we have this straight. We are going to take American taxpayer money and use it to subsidize the crew of a ship that was built by one of our foreign competitors.

Folks, the great nations of this world have had two things in common since the time of Christ. They have been great manufacturers and they have been great maritime powers. If we want to remain a great nation we have to get our manufacturing back and we have to get our maritime might back.

As we speak, the House Armed Services Committee is in conference with the Senate Armed Services Committee on a \$200 million loan guarantee program that will create anywhere from \$2 to \$4 billion of loans for people who will build their ships here. But how can we provide those people who will build their ships here with any incentive if we tell them it is OK to go buy a cheaper foreign ship and we will pay the cost of your crew. That is not fair. It is not to the advantage of the American citizens. It is certainly not fair to those American shipyard workers, and it is a bum deal for our country.

I support the chairman trying to revitalize the American maritime industry. But let us fix it, and let us fix it right.

Mr. STUDDS. Madam Chairman, I yield myself such time as I may consume to close by thanking the distinguished ranking member, the gentleman from Texas, and the gentleman from Illinois, the subcommittee chairman, the gentleman from Virginia, the ranking member of the subcommittee, and our longstanding ally in this effort, the gentlewoman from Maryland. As I said this morning at a committee caucus, I am grateful that she is on our side.

We are on the verge, I think, of some genuinely historic legislation, and it is

my hope that when the dust settles tomorrow, or whenever we conclude this, that we can all walk out of this Chamber, Republicans and Democrats alike, for once very proud of what we have done. I commend those who have worked so hard.

Mr. HOCHBRUECKNER. Madam Chairman, I rise today to express my support for President Clinton's commitment to revitalizing the maritime industry. I join the President in recognizing the need for a comprehensive maritime policy reform package.

The U.S. maritime industry is in jeopardy. In 1992, the U.S. merchant fleet totaled 18,228,000 gross tons, down more than 2 million gross tons from 1991 levels. Furthermore, legislation was needed to prevent American companies from attempting to transfer vessels to a foreign registry.

The industry is an essential component of our economy. It is responsible for the transportation of raw materials, goods, and equipment necessary for the success of American industry. Moreover, it exports American items to friendly nations. Finally, the maritime industry plays a vital role in serving the U.S. Armed Forces during wartime. For example, only American vessels can be forced to enter combat zones to deliver materials. Therefore, the U.S. merchant marine is instrumental in conflicts like the Gulf War.

The House Merchant Marine and Fisheries Committee is taking a leading role in aiding the maritime industry. I am a cosponsor of H.R. 2547, the National Shipbuilding and Conversion Act, important legislation which includes a shipbuilding subsidy that will better enable American shipbuilders to compete in the world market.

In the past 20 years the American merchant fleet has decreased from 798 to 385 ships. Today, H.R. 2151, the Maritime Security and Competitiveness Act of 1993, will be voted on by the House of Representatives. The Maritime Security and Competitiveness Act addresses this problem by making legal and regulatory changes that will add vessels to our fleet and jobs to our economy. H.R. 2152, the Merchant Marine Investment Act of 1993, also promotes a stronger maritime industry by encouraging investment with tax incentives. As a cosponsor of H.R. 2151 and H.R. 2152, I urge my colleagues to support both of these important bipartisan legislative efforts to back our maritime industry.

We have a proud maritime heritage in these United States. America has longer sea coasts, more seaports, and greater amounts of imports and exports than any other industrialized nation. If the United States is going to continue as a leader in the global economy, it will need a strong maritime industry.

Madam Chairman, I ask my colleagues in the House of Representatives to join me in voting "yes" on H.R. 2151 which will go a long way toward reviving the maritime industry.

Ms. PELOSI. Madam Chairman, I rise today in support of H.R. 2151, the Maritime Security and Competitiveness Act, legislation to enhance the U.S. sealift force and maintain a vital U.S. commercial transportation industry.

U.S. shipbuilders and operators are subject to higher standards for safety, health, and employment than their foreign counterparts. This,

in combination with the subsidies foreign yards receive, gives foreign operators a clear advantage because their vessels are less expensive to construct and operate.

H.R. 2151 would create a Maritime Security Fleet Program. This program would establish a statutory and regulatory framework under which we could maintain a maritime security fleet, which is important in a number of ways:

It is an important aspect of defense conversion, because it will assist U.S. shipyards in making the transition from military to commercial vessel construction, preserving a valuable part of our Nation's infrastructure;

It is an important aspect of our economic independence, because the United States will avoid potential dependence on foreign-flag carriers;

And it is an important aspect of national security, because the U.S.-flag fleet will continue to be able to meet our Nation's seafight requirements. Due to unfair foreign trade practices and decades of neglect by the Government, the U.S. merchant marine has been in a period of steady decline for many years and will disappear if we do not act quickly. H.R. 2151 is an effort to ensure that the United States retains a merchant marine built in America, owned by Americans, and crewed and maintained by Americans. I urge my colleagues to support H.R. 2151.

Mrs. MINK. Madam Chairman, I rise in support of H.R. 2151, the Maritime Security Competitiveness Act of 1993.

This bill signifies hope and renewal for the U.S. merchant fleet. The U.S. merchant fleet is threatened with extinction. The cost of building a vessel in the United States is at least twice as much as building one overseas. The cost of registering a vessel in the United States is greater than registering a vessel overseas due to higher labor costs, taxes, and regulations. The U.S. merchant fleet needs the strong and active support of the Federal Government to limit the competitive disadvantage that now hampers the operation of American vessels.

This bill frames the question facing the House of Representatives in very simple and basic terms: Do we support a U.S. merchant fleet or do we stand idly by and banish the American merchant fleet to foreign registries and foreign ports?

The answer to this question must be heard in a resounding vote of support for H.R. 2151, and other maritime reform and revitalization legislation in this term of Congress. This is of the essence.

H.R. 2151 proposes to create a maritime security fleet consisting of U.S.-documented, U.S.-crewed vessels operating in the international commercial trade. Under this act, the Federal Government would provide shipping companies with subsidy payments of \$21.2 million over 10 years in exchange for the right to use these ships in case of war or for emergency sealifts. These subsidy payments amount to less Federal subsidy per ship than provided under existing subsidy contracts, intending to cover more ships and requiring a more efficient U.S. merchant fleet.

The creation of a maritime security fleet is crucial to the reform and revitalization of the U.S. merchant fleet. It is one component of a vigorous maritime reform and revitalization

program that this Congress must adopt to defend our merchant fleet, holding inviolate our economic and national security.

We cannot look to be a leader among nations without first looking to lead our own people, to defend our own industries, to embrace our own causes, and to solve our own problems.

H.R. 2151 defends the right of the U.S. merchant fleet to exist on American waters, protects American jobs in the maritime industry, and restores pride in the U.S. merchant fleet.

I urge my colleagues to vote in support of H.R. 2151 and to support the U.S. merchant fleet.

The CHAIRMAN. All time has expired.

Mr. STUDDS. Madam Chairman, I move that the Committee do now rise. The motion was agreed to.

Accordingly the Committee rose; and the Speaker pro tempore. [Mrs. MALONEY] having assumed the Chair, Ms. BYRNE, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H.R. 2151) to amend the Merchant Marine Act, 1936, to establish the Maritime Security Fleet Program, and for other purposes, had come to no resolution thereon.

HEALTH CARE REFORM

(Mr. HASTERT asked and was given permission to address the House for 1 minute and to revise and extend his remarks and include extraneous matter.)

Mr. HASTERT. Mr. Speaker, I rise today to direct my colleagues attention to an editorial entitled "Repair, Don't Replace, Health System" in the Chicago Tribune on November 1.

The Chicago Tribune suggests that the biggest failing of the Clinton health care plan, and I quote, "is its conceit that the entire system must be rebuilt to Federal specifications". They suggest instead that what's needed is a health insurance system that, quote, "Would rely on economic incentives, not the Federal mandates and premium caps that are the linchpins of the Clinton plan."

The House Republican health care reform plan relies on economic incentives. It incorporates Medisave accounts, malpractice reform, and paperwork reduction, all of which the Tribune endorses.

Mr. Speaker, the Chicago Tribune concludes: Our current health care system "is a flawed vehicle that needs to be improved, not a wreck to be junked in favor of somebody's social experiment".

Mr. Speaker, they are right.

[From the Chicago Tribune, Nov. 1, 1993]

REPAIR, DON'T REPLACE, HEALTH SYSTEM

Now that President Clinton's book-length prescription for health care reform has been delivered to Congress, the public can begin to compare its sweeping, government-directed approach to other, more modest pro-

posals that rely more heavily on consumer choice and competition.

Too little attention has been paid to these alternatives, some of them quite innovative, which have been put forward by members of Congress, professional associations and public policy groups.

None deserves to be embraced in total, but nearly all contain ideas that ought to be incorporated into the compromise that Congress inevitably must piece together if any reform is to pass.

Not that the administration's plan is without merit. It contains nuggets of common sense, such as encouraging Medicaid recipients to enroll in health maintenance organizations so as to better manage the cost and quality of their care. The Tribune's current investigative series on Medicaid abuses depicts a system out of control, and ought to raise a cautionary flag about government's ability to micromanage an entire health care system.

Indeed, the biggest failing of the Clinton plan is its conceit that the entire system must be rebuilt to federal specifications. It ignores the fact that most Americans have insurance; they actually like their family doctors; and they want to keep using their community hospitals.

What's needed are common-sense repairs to the existing system, ones that will attract, not herd, the nation's 37 million uninsured into a system in which consumers and providers alike are made more aware of how much things cost.

Ideally, such a system would rely on economic incentives, not the federal mandates and premium caps that are linchpins of the Clinton plan. A majority of the uninsured could be enticed to buy coverage through a system that combines tax incentives, means-tested subsidies and plain old bargain-hunting. In return for added volume, insurance companies would be required to accept anyone that applies.

Here are five other suggestions culled from various alternatives to the Clinton plan:

Limit tax deductibility on insurance premiums for coverage in excess of a basic plan. Why should taxpayers subsidize someone else's gold-plated policy that pays for nose jobs, in vitro fertilization or other exotic procedures?

Let employers contribute to tax-free medical savings accounts that employees could dip into for out-of-pocket medical expenses, or convert to personal use if they stay healthy and avoid the doctor's office. This also would encourage "shopping" for medical services, discourage overuse, and promote the purchase of "catastrophic" insurance coverage with higher deductibles and lower premiums.

Adopt a single, universal, computer-ready medical claims form for use by all insurance companies and health care providers. Experts say this reform alone could cut in half the \$80 billion spent each year processing the current crazy-quilt of paperwork.

Reform malpractice and product liability laws to protect doctors who follow accepted procedures and pharmaceutical companies that distribute federally approved drugs. Require would-be plaintiffs to first try non-judicial dispute resolution and limit non-economic and punitive damages in malpractice cases.

Make doctors and hospitals publish their prices and their performance ratings so consumers of medical services can act more like consumers of every other product, comparing what's available to find the best buy.

There are many other common-sense ideas available to Congress—ideas that will fix our

health care system rather than replace it. Ours is a flawed vehicle that needs to be improved, not a wreck to be junked in favor of somebody's social experiment.

STEPHEN F. AUSTIN OF TEXAS

(Mr. PICKLE asked and was given permission to address the House for 1 minute and to revise and extend his remarks and include extraneous matter.)

Mr. PICKLE. Mr. Speaker, I rise today to commemorate the birth 200 years ago today of one of the greatest American adventurers, businessmen, diplomats, combat generals, and statesmen who ever graced this globe with his presence: Stephen F. Austin, the Father of Texas.

This great man was born and raised to a rather privileged Virginia and Missouri, background and was sent to a prestigious boarding school in Connecticut and college in Tennessee. His family met with financial ruin in 1819, the time of the Nation's first real economic depression. It was in these trying times that young Stephen showed his true mettle.

At the age of 28, he came to the Spanish-Mexican province of Texas and established himself as an impresario, ultimately bringing in more than 4,000 North American settlers to the rugged beautiful lands of central and south-east Texas.

After General Santa Anna came to power in Mexico City and began his brutal dictatorship, Austin was chosen to be the first General of the Texian Army and led a successful military campaign in San Antonio. After being imprisoned in Mexico for a year, Austin emerged as one of the principal leaders of the Texas independence movement, and succeeded in swaying the powers that be in Washington to support the Texans' cause.

Although he suffered an untimely death at age 43 in 1836, the signers of the Texas Declaration of Independence later acknowledged that he was as responsible as anyone for their reaching the point of independence.

The State of Texas and the United States of America have produced few leaders as great as Stephen Fuller Austin, and I am proud to represent Austin, TX, the community that bears his name.

AUSTIN HAD VISION OF CITY BEFORE IT WAS FOUNDED

(By Pamela Ward, American-Statesman Staff)

Stephen F. Austin, the city's namesake, never lived in Austin, but it was his dream. In 1833, he wrote of his adoration of the land on the east bank of the Colorado River at the foot of the mountains as a retreat to which he wanted to retire, and instructed a representative to locate a beautiful tract for him:

"I mean to go and live there. It is out of the way and will do for an academy scheme with which I can amuse myself and do good to others."

Eugene Barker, in his book "The Life of Stephen F. Austin, Founder of Texas," wrote, "With rare appropriateness that tract now contains the Capital City and the University of Texas, and Austin lies buried on the land that he himself chose for his last peaceful years."

Today, the city and state celebrate the man behind the name. Stephen Fuller Austin, a Virginian by birth but the founder of Texas, would be 200.

"It's a big day for the capital city," said Mike Workman, vice chairman of the State of Texas Stephen F. Austin Bicentennial Celebration Commission. "We have fourteen public events. The public is invited to any and all of those events." In addition, some special exhibits are opening in Austin and elsewhere in Texas in Austin's tribute.

Austin, founder of Texas, the first military commander of the Texas Revolution's Texian Army, skilled diplomat and first secretary of state during the republic, also is a reversed figure in Texas mythology.

"Legend has it he came through here on his mapping tour in 1821. Legend has it that he came to the Treaty Oak," Workman said, noting both stories cannot be proved.

In 1821, at age 28, Austin moved from Missouri to Texas and laid plans for the establishment of a commonwealth of Texas and founded an American colony along the Brazos and Colorado rivers.

Sam Houston, in his last speech to the United States Senate, called Austin "the father of Texas. This is the designation justly accorded to him, as will be testified to by every man who is acquainted with the primitive history of Texas or its progress as long as he lived. Stephen F. Austin is entitled to that honor. Sir, posterity will never know the worth of Stephen F. Austin—the privations he endured—the enterprise he possessed—his undying zeal, his ardent devotion to Texas and its interests and his future hopes connected with its glorious destiny."

In 1836, Austin said, "The prosperity of Texas has been the object of my labors, the idol of my existence; it has assumed the character of a religion for the guidance of my thoughts and actions for 15 years, superior to all pecuniary or personal views."

Austin, who suffered from chronic malaria, died at age 43 later that year.

Three years later, the community of Waterloo was renamed in Austin's honor and chartered by the Republic of Texas.

Today's events are highlighted, by an 11 a.m. program in the Capitol Extension auditorium that features musical performances and comments from the governor, land commissioner and Austin family descendants.

Rare items are featured in exhibits opening in town. The University of Texas exhibit on the second floor of the building at 709 Martin Luther King Jr. Blvd. includes Austin's 1882 manuscript map of Texas, printed announcements such as one on Austin's death, the 1833 George Catlin oil portrait of Austin and Austin's prison diary.

As a commemorative item, the General Land Office has published a new historical map of the area known from 1821 to 1836 as Austin's Colony. The 26-by-36-inch map, designed in the style and traditions of 19th century cartography, depicts the settlement and surrounding lands at they were in 1835, just before Texas declared its independence from Mexico.

SUPPORT OUR PRESIDENT, VOTE "YES" ON NAFTA

(Mr. RICHARDSON asked and was given permission to address the House

for 1 minute and to revise and extend his remarks and include extraneous matter.)

Mr. RICHARDSON. Mr. Speaker, what do Tip O'Neill, Rush Limbaugh, Ronald Reagan, Lee Iaccoca, Jimmy Carter, Henry Kissinger, and Bill Clinton have in common? They all are for NAFTA. Mr. Speaker, this broad mosaic of individuals shows that NAFTA is good for this country, that it is bipartisan, that it creates jobs, that it reduces illegal immigration, and that it will ultimately spearhead the largest economic bloc in the world, led by the United States.

Mr. Speaker, I would like to read what former Speaker Tip O'Neill said:

As an American and a died-in-the-wool Democrat, while in office I always lived by the principle that my central duty was to represent the bread-and-butter economic interests of American working men and women. It is because I care about the creation of jobs and the expansion of the middle class of this country that I strongly support the North American Free-Trade Agreement.

Mr. Speaker, as the debate on the North American Free-Trade Agreement [NAFTA] enters its final 2 weeks, forces for and against this treaty are marshalling significant resources to support their stance on this issue.

For the most part, Majority Whip DAVID BONIOR and I have worked hard to insure that the fight over NAFTA would be a fair one.

Similarly, though I have many friends in organized labor and have been a long-time supporter of the union movement in this country, on this issue we respectfully disagree.

Having said this, I can not help but comment on a recent editorial by former Speaker of the House Tip O'Neill which appeared recently in the Boston Globe.

Entitled, "An Old Work-and-Wages Democrat Parts With Labor on this (the NAFTA) Issue," Speaker O'Neill's article focuses attention on the fears which many Members have recently expressed about the potential loss of support from organized labor should they vote in favor of NAFTA.

I must say, that I agree with the former Speaker when he states that he has never seen the unions withdraw support from pro-labor Democrats because of a single vote.

If a Democratic Member of Congress votes for striker replacement legislation national health care, workplace safety, as well as for NAFTA—is labor going to withhold its support for this Member. In spite of these concerns, I honestly doubt it.

When President Clinton argued for NAFTA before the AFL-CIO convention, its members treated him with respect. When he finished his pro-NAFTA pitch, they applauded politely.

The AFL-CIO's Lane Kirkland had it right when he told his members, that while the President is pro-NAFTA by and large his agenda was their agenda

and the AFL-CIO would remain his most reliable troops.

So, I ask you, if the agenda is good enough for our pro-labor, pro-NAFTA President, it should be good enough for pro-labor, pro-NAFTA Members of Congress too.

Stand your ground. Support our President and do the right thing for America. Vote "yes" on NAFTA on November 17.

The article follows:

AND OLD WORK-AND-WAGES DEMOCRAT PARTS
WITH LABOR ON THIS ISSUE

(By Thomas P. O'Neill, Jr.)

As an American and a dyed-in-the-wool Democrat, while in office I always lived by the principle that my central duty was to represent the bread-and-butter economic interests of American working men and women. It is because I care about the creation of jobs and the expansion of the middle class of this country that I strongly support the North American Free Trade Agreement.

The Democratic Party has always been at its best when it made a changing world work for average citizens. Our guiding principles have been those of both security and opportunity. We never would have succeeded had we aimed only at preserving the status quo.

Contrary to what some today might suppose or argue, the Democratic Party has historically led the fight for expanded trade and open markets abroad. After World War II, Harry Truman had the foresight to recognize that our middle class would swell if we had markets to which to export. And President John F. Kennedy—whom I succeeded in Congress—pushed through a landmark law that expanded trade and helped lead to the economic boom of the 1960s.

Today, American working men and women face not a Depression or a Cold War, but a contest for economic survival. We square off against formidable foes in the world marketplace. And we cannot create good paying jobs that provide security for our citizens if we don't win in this global contest. I recognize the hard times we face and the difficulty of thinking about future jobs when it is so tough to find a job today. We must not, however, neglect the future.

NAFTA would create meaningful jobs in the United States by breaking down tariff walls in Mexico and opening that market to our products. This is just the kind of market-opening measure that we have sought from Japan, without success.

My friend Lee Iacocca tells me that the auto industry alone will see \$2 billion in new sales of cars in the United States in the first two years of the agreement, cars made by thousands of UAW workers. Exports are our future.

My friends in organized labor have sworn their opposition to this agreement, and I respect their views. Principled and fervent opposition is fine provided it leaves room for equally principled and fervent support. Unions and Democrats have worked arm in arm for decades.

I was a soldier in many of those battles. I have never seen the unions withdraw support from pro-labor Democrats because of one single vote. Not on the labor law reform bill of 1977, not on PATCO, Davis-Bacon, striker replacement, the minimum wage, Ronald Reagan's budget and tax cuts of 1981—all issues where labor members had a much more distinct stake in the outcome than NAFTA.

If a Democratic member of Congress votes for striker replacement legislation, national

health care, workplace safety—as well as for NAFTA—is labor going to withhold its support from this member? I certainly hope not.

When President Clinton argued for NAFTA before the AFL-CIO convention, its members treated him with respect. When he finished his pitch for NAFTA, they even applauded politely. Lane Kirkland had it right when he told his members that while the president is pro-NAFTA, by and large his agenda is our agenda, and we are and will be his most reliable troops.

If that agenda is good enough for the pro-labor, pro-NAFTA president, it should be good enough for pro-labor, pro-NAFTA members of Congress, too.

Our party and its allies must unite behind President Clinton to provide health security and economic growth to the voters. We have all waited a long time for an administration like this one, and we need to work together on this agenda and work through singular issues on which we disagree.

JUST SAY MAYBE?

(Mr. WOLF asked and was given permission to address the House for 1 minute and to revise and extend his remarks and include extraneous matter.)

Mr. WOLF. Mr. Speaker, outgoing Drug Enforcement Administration Chief Robert C. Bonner has alerted us to the fact that when it comes to an antidrug policy, there is a growing problem in the Clinton administration.

Mr. Bonner has stated:

In terms of leadership at the White House, this is a nonissue * * * my perception is the drug problem is not only not a priority issue, it does not appear to me to be an issue of any real importance.

Bonner says there is a vacuum and an absence of leadership from the White House.

This is particularly unfortunate given recent reports that drug use is on the increase once again after years of a downturn. Last week's Newsweek reported on "High Times Revisited"—a revival of the 1960's and 1970's drug culture including increased use of marijuana and heroin and hospital emergency room episodes up sharply for many drugs. Groups that advocate legalizing marijuana have increased their visibility and are using the media and even clothing lines to promote their message. Heroin use has increased with the development of a purer easier to take heroin that is snorted or smoked. Popular rockers apparently are trying to resurrect the reefer madness culture of the 1960's and 1970's.

Where is the Clinton administration? Cutting the White House staff on the back of the drug policy office for one thing. The cuts to meet the promised 25-percent reduction in staff, although not actually met, were still focused in large part on the Office of National Drug Control Policy which was cut from 146 employees to only 25. These cuts included mostly career Federal employees, many who had left other jobs to join in a serious effort to battle the drug problem in this country.

As DEA Chief Bonner noted the Clinton administration has made this a low priority item. Abdicating leadership on this front will have serious consequences—consequences that will be borne by our children and consequences that will affect our health care system and public support system.

Is this the message that we want our young people to get from those in a leadership position? If this administration wants to send a better message they must reconsider their actions that could lead to many children revisiting the counterculture of the 1960's and 1970's. Newsweek writes that the Federal Government has softened its anti-drug campaigns. "As silly as they sometimes seemed, they worked," says Newsweek. This is one area where retreat can be fatal. If we turn tail on this front our children will be left on the front lines with no cover.

[From Newsweek, Nov. 1, 1993]

JUST SAY MAYBE

(By John Layland)

B-Real had a question for his audience. As the stage lights went down at Memorial Hall in Kansas City, Kans., he stepped in front of a curtain bearing a giant marijuana leaf and asked, "What do you want?" It was a rhetorical question; B-Real and his musical group, the multimillion-selling Cypress Hill, have but a small handful of tricks in their bag, and the audience was already declaring its intentions. "I wanna get high," they chanted, united beneath a cloud of grayish-brown smoke, "So high." Rita Marley first sang these words 11 years ago after her husband, the Jamaican reggae star Bob Marley, died of brain cancer—words of defiance in the face of death. But here in Kansas City, where better than 3,000 mostly white, mostly suburban teenagers had gathered last Wednesday night, the words were a benign generational rallying cry. In response, B-Real wheeled out a giant brown hand holding a joint the size of a baseball bat. The crowd roared. On the floor of the hall, Keven Divine, 14, from suburban Olathe, Kans., sized things up. "It's a good beat," he said, in the approving language teens have used since the days of "American Bandstand." "And it promotes the use of marijuana."

Here's a flashback: after a decade of being demonized and driven underground, the drug culture is suddenly back on display, buoyed by entertainers like Cypress Hill. A University of Michigan survey of college students and young adults found that in 1992, the most recent year studied, a 12-year decline in drug use came abruptly to a halt. Marijuana use increased very slightly, and LSD use rose for the third consecutive year. Marijuana seizures are up nationwide, and hospital emergency-room episodes have risen sharply for many drugs. Groups that advocate legalizing pot have seen their memberships skyrocket. "We have a hard time keeping up with demand," says Richard Cowan, 53, the national director of NORML, the National Organization for the Reform of Marijuana Laws. Heroin also appears to be making a comeback.

Sea change: It is too soon to say what all these numbers mean; many of the upticks are small, and may be just statistical accidents. Casual drug use is still way down from the late '70s, when more than half the high-school seniors tested said they'd smoked pot in the last year. "Whether this is a pause or

the beginning of a turnaround, we cannot say," says Lloyd Johnston, coauthor of the Michigan studies. Adrienne Jordan, 17, high-school senior in Ferndale, Wash., is not so reserved about what she sees. A former heavy pot smoker, she has noticed a sharp rise in drug use among her friends and classmates. "Especially this year, there is a lot more pot," she says. "It's very noticeable."

What is clear, and arresting, is the rise of a popular culture that actively glorifies drug use. There is a sea change in attitudes, if not in actual use: an emerging population that openly espouses that drugs—at least some drugs—are no big deal. In Boston's Mission Hill district, a teen in a White Sox windbreaker and Duke baseball hat, smoking a cigar filled with marijuana, sums up a growing attitude: "I don't consider it a drug. It's a plant. Coke, I don't do that sh-t. That's a drug." Studies of junior-high and high-school students show that the percentage who believe that use of marijuana is very harmful has dropped, in some cases as much as 10 percent over a two-year period. When Jon Bonne, 21, arrived at Columbia University in New York three years ago, marijuana use on campus was nearly invisible, and uncool. "The image of the pot smoker was very much a hippie thing," he says. "Now it's completely different. There's a whole mode of dress, music and style that didn't exist three years ago."

Devil's horns: Music, television, movies and fashion are all embracing this change. For most of the 1980s, drugs either vanished from popular entertainments or appeared in the role of the villain: the murderous cocaine warriors of "Miami Vice" or "Scarface," the craven psychopaths of "RoboCop." Even archetypal stoner characters—Bill and Ted, Wayne and Garth—never touched the stuff; it was taboo. No more. In the last year, drug use has gone prime time, and without the cautionary alarm bells or Devil's horns. On a recent episode of "Roseanne," one of the top-rated sitcoms in the country, the principal characters found a stash of marijuana and lit up, spending half the show laughing themselves silly. Recent skits on "Saturday Night Live" and the Comedy Central program "The Kids in the Hall" present innocuous pot humor. MTV's top-rated Beavis and Butt-head sniff paint thinner.

Pot has made a benign re-entry in the movies as well. In the film "True Romance," Brad Pitt plays a stoner who knows his navel more intimately with each passing scene. And Richard Linklater's "Dazed and Confused," about a bunch of high-school students on the last day of class in 1976, celebrates pot smoking from beginning to end. Asked why the studio agreed to finance such a supportive depiction of drug use, Linklater says, "I think they've been spurred on by the supposed media resurgence of marijuana." Gramercy Pictures certainly used the pot connection as a selling point. The press kits for the movie included custom rolling papers and marijuana-leaf earrings, and the ad campaign ran, "See it with a bud." A second slogan, "Finally! A movie for everyone who *did* inhale," was nixed by the Motion Picture Association of America.

But it is rock musicians who have most heartily taken up the pot banner. Musicians have long played an intimate role in our national attitudes toward illicit drugs. In the 1960s and '70s, rockers were the voice of the burgeoning drug culture. During the '80s, strung out or in 12-step programs, musicians like Aerosmith, Keith Richards, Ozzy Osbourne and Mötley Crüe helped fuel the backlash against their past vices. Now a new

generation of musicians is turning that around. Foremost is Cypress Hill, the multi-racial rap group from South Gate, a Los Angeles suburb. Peppered with anthems bearing titles like "Hits From the Bong" and "Legalize It," the group's most recent album, "Black Sunday," entered the Billboard charts at No. 1 this summer, and has remained in the top 15 ever since. The group is relentless in its support of cannabis, or hemp. "We wanted to do something bold and take a stance on pot and the liberations of smokers," says rapper Sen Dog (Senen Reyes), 27. Cypress Hill even has its own line of clothes and drug paraphernalia; sales this year have reached \$6 million. "They just let it all hang out and they tell it like it is," says Scott Altman, 17, a Cypress Hill fan from suburban St. Louis. A varsity ice-hockey player, Altman likes the music but skips the drugs. "It may promote marijuana but it brings everyone closer together to have a good time." A suburban 15-year-old at the group's Kansas City show had a different perspective. "When you're pulling hits from the bong," he said, "it's good to listen to 'Hits From the Bong'."

Other pop groups have jumped on the bandwagon. The platinum-selling Atlanta rock band the Black Crowes performed on their last tour before a giant marijuana leaf, and sold their own rolling papers in the lobby. The rapper Dr. Dre has sold more than 2 million copies of this album "The Chronic," named after a particularly potent strain of marijuana. Members of the Seattle bands Nirvana and Soundgarden, the multi-million-selling Spin Doctors and Faith No More have all come out publicly for legalization; Guns N' Roses and Metallica had NORML tables at their last tour. Other acts are using pot iconography in their marketing. The hard-rock band Sacred Reich, signed to a music subsidiary of Disney, sent out bongs with promotional copies of its last album. Rick Krim, vice president of music and talent at MTV, says he gets a video a week that refers to marijuana. The network asks acts to edit the references before the videos can air. "If there were ever anything with an anti-drug message, that might be a different story," says Krim. "But this stuff pretty much glorifies it."

Fashion statement: Along with the music has come a boom in pot fashion. At the high end, about two dozen manufacturers are offering clothing made from hemp, the same plant that produces marijuana. Because it is illegal to grow hemp in the United States, all of the fabric is imported. But it is at the low, popular end that pot fashion makes its strongest statement. After a decade-long absence from American iconography, the marijuana leaf is popping up on clothing, jewelry, even tattoos. Pot fashion, not long ago the province of losers or outcasts, has suddenly become hip, blossoming into an estimated \$10 million to \$15 million business. "I see guys wearing white baseball hats with a bright-green pot leaf, girls in tie-dyed T-shirts with pot-leaf motifs, and necklaces and earrings with pot leaves," says Dave, 23, a supermarket clerk in Evanston, Ill. "You never saw that two years ago. And if you did, you looked away, as if it was a secret. Now it's not a secret. It's out in the open."

Lee Brown, the new drug czar, is outraged by this fashion statement. Brown, former top cop of New York, last week unveiled the Clinton administration's drug policy, a sketchy program that points toward greater emphasis on treatment; he has yet to say where the money will come from. "It angers me when I see" the drug wear, he says. "It's

a mistake for parents to allow their children to get caught in that culture."

Ironically, though, part of the easing of attitudes toward drugs has come from government circles. Bill Clinton's claim that he didn't inhale became the best joke of the campaign; suddenly, a presidential candidate's history of illegal drug use was something to snicker about, not grounds to disqualify him from the Oval Office. One popular T-shirt reads "Inhale to the Chief." Surgeon General Joycelyn Elders has advocated making marijuana available for medicinal purposes. And the federal government has softened its anti-drug propaganda campaigns. As silly as they sometimes seemed, they worked. "When Clinton got elected, I knew weed was going to come back," says Eric Bonerz, 28, the manager of a trendy downtown New York clothing boutique that sells pot-leaf hats by the dozen—many of them, he avers, to people who don't smoke. "Now you can smoke it, wear it, whatever . . . It's less illegal now."

At the same time, the drug itself is undergoing an image makeover, in step with the health and environmental consciousness of the '90s. Smokers argue, echoing an old line, that it is natural, nonaddictive and not associated with violence or domestic abuse. For generations who have seen firsthand the ravages of both crack and alcohol, this combination can be very appealing. One slang term for desirable marijuana is "kind bud." "Frank," 33, who runs a Los Angeles landscaping company, is a typical thirty-something user. After smoking in school, he gave it up for most of his 20s, as he and his friends got into drinking, cocaine and other drugs. Now, he's back. "Drinking gets me blotto. With pot my mind still functions." He finds marijuana a healthier alternative to his past habits. "On coke, I would take all kinds of risks: go places that were dangerous and do things I shouldn't." Pot, he says, is "probably less dangerous."

Pot activists go this claim one better. The bible of the legalization movement, "The Emperor Wears No Clothes," by Jack Herer, argues that until it was declared illegal in 1937, the hemp plant provided fuel oil, fabric and paper in a more efficient and ecologically sound way than our currently available resources. Since being published in 1985, according to Herer, 54, his book has sold 193,000 copies. Its acolytes—smokers and nonsmokers alike—are gushing in their idealism. "This means more than going to a party, smoking a joint and having a good time," says John Birrenbach, president of the Institute for Hemp, a St. Paul-based advocacy group that sells cannabis products via a mail-order catalog. "It means saving the planet."

But it is wrong to think of pot as risk-free. Although much is still unknown about the drug's effects, and even more muddled by decades of "Reefer Madness" hysteria, there are a few undisputed health risks associated with the drug. Carcinogenic tars and benzopyrenes are at much higher levels in marijuana than in tobacco, and chronic use impairs short-term memory. Smoking also suppresses the immune system. (Many other fears, such as physical addiction, genetic damage or reduced fertility, are either unsupported or rarely borne out, says Christine Hartel of the National Institute on Drug Abuse.) Some of the risks, however, may be higher today than at the height of the drug culture. Back in the '70s and '80s, average marijuana was about 1.5 to 2 percent THC, the main psychoactive ingredient; now it's twice as high and can even reach 30 percent

THC, according to NIDA. The Center on Addiction and Substance Abuse at Columbia University estimates that substance abuse and addiction claim nearly 500,000 lives a year, and drain \$250 billion from the health-care system. Though most of this is from alcohol and cigarettes, a new boom in the drug culture means more than just a nostalgic smell in the air.

Hemp culture: Lofty Bullock, a 22-year-old British deejay and entrepreneur, already thinks the trend may be turning. Bullock runs Headflows, a natty enclave of hemp culture on Washington, D.C.'s, bohemian "New" U Street. Earlier this year, he says, he was selling hundreds of T-shirts a week. Now, in a slower market, he has sold most of his stock to British retailers. "I reached a peak about six months ago," he says. There is still some interest, he finds. "But being a hip, underground thing—that's over."

Whether this means the drug culture is expanding to small dimensions or beginning its last inhale remains to be seen. At the Cypress Hill show in Kansas City, Blake Overt, 15, offered one hint, Blake does not smoke marijuana, but likes the music anyway. "It's words everybody can relate to," he says. "Except my mom." Drug trends may or may not be cyclical. But kids embracing music and fashions to bug their parents—well, that's eternal.

[From the Washington Post, Oct. 31, 1993]

DEPARTING DEA CHIEF HAS HARSH WORDS
FOR CLINTON ANTI-DRUG POLICY

(By Michael Isikoff)

Outgoing Drug Enforcement Administration chief Robert C. Bonner has accused the Clinton administration of permitting the country to "backslide" in the war against drug abuse by treating the problem as a "non-issue."

Amid signs that the use of heroin has reached record levels, Bonner said there has been a "vacuum" and "an absence of leadership" from the White House that has permitted Congress to "willy-nilly chop up" the budgets of federal agencies seeking to attack the drug problem.

"In terms of leadership at the White House, this is a non-issue," said Bonner, whose resignation takes effect today. "My perception is the drug problem is not only not a priority issue [at the White House], it does not appear to me to be an issue of any real importance."

Bonner also dismissed the administration's new anti-drug "strategy" as a largely rhetorical and misguided document that is "going to fail." By placing primary emphasis on the treatment of hard-core drug abusers, White House drug control policy director Lee P. Brown is ignoring that "there really isn't an effective treatment for cocaine and crack addiction."

"Drug treatment, particularly in this town, is the real feel good [method] for how you deal with the drug problem. It doesn't deal with any enforcement of the laws. It makes everybody feel all warm and fuzzy. . . . I think treatment is being oversold."

Bonner's comments were made during a two-hour interview last week in which he harshly criticized administration policies on a number of fronts. A former federal judge and U.S. attorney in Los Angeles who was appointed three years ago by President George Bush, Bonner said he is leaving of his own accord, although he acknowledged he had not been encouraged to stay on indefinitely. The office has no fixed term. Stephen H. Greene, the deputy administrator, will become acting administrator.

"Perhaps I may be something of a voice in the wilderness here, but I still believe the drug problem in all its various dimensions is the greatest single threat facing America," Bonner said. After several years of a "strong clear signal" of social disapproval of drugs, "I'm very concerned that clear signal is becoming much more ambiguous and . . . muted and we're beginning to backslide."

Asked about Bonner's comments, Brown said: "I don't think there's any room for us to be engaged in rhetoric about who's tougher on drugs."

Brown said that, contrary to Bonner's assertions, President Clinton was "very, very concerned about this issue" and had demonstrated that by designating the drug policy director a member of the Cabinet. He also emphasized that while the administration's approach will place more emphasis on treatment of addicts, "we're not contemplating reductions for the law enforcement agencies."

Bonner said the most serious new drug threat has been a "dramatic" resurgence of heroin abuse, with many new users snorting or smoking the drug. After years of worldwide bumper crops of opium poppies in the late 1980s, "I would say from all the data I've examined there is more heroin available in the United States today than perhaps at any time in the nation's history."

While acknowledging "there is no hard data," Bonner said he also believes the total number of users of heroin has expanded "well beyond" traditional estimates of 500,000 to perhaps 1 million.

Other federal officers and drug experts in recent months have said there is no accurate way to measure the number of heroin addicts and fears of a heroin "comeback" have been expressed by DEA officials for some time. But Bonner and other agency officials last week cited a number of statistics to back up their claims, including a record number of heroin emergency admissions to hospitals, reports of heroin being distributed at crack houses in major U.S. cities, and substantial increases in street-level purity of the drug.

At least part of the problem, Bonner said, is the lack of a vigorous international attack in the "source" countries. While the largest supplier of raw opium to the United States is Burma (Myanmar), that country's government "is not hearing any message from the U.S. government" on drugs because of what he contended was the State Department's preoccupation with human rights abuses.

Bonner's resignation comes shortly after he and his agency won a crucial bureaucratic victory, staving off a proposal by Vice President Gore to fold the DEA into the FBI. Instead, Attorney General Janet Reno gave FBI Director Louis J. Freeh new powers to resolve operational disputes among all Justice Department agencies, including the DEA.

But Bonner said the new setup created many potential problems. Within hours of Reno making her announcement last month, DEA agents and FBI agents in one city began squabbling over who should prepare an affidavit—with bureau officials threatening to "take it up to the Freeh committee," Bonner said.

Designating the FBI director to adjudicate disputes between the FBI and DEA is like "trying to resolve disputes between IBM and Apple" by giving the job "to the chairman of IBM," he said.

TRANSFER OF SPECIAL ORDER

Ms. BYRNE. Mr. Speaker, I ask unanimous consent that the 60-minute

special order for the gentleman from Michigan [Mr. BONIOR] on November 3, 1993, be allocated to the gentlewoman from Ohio [Ms. KAPTUR].

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from Virginia?

There was no objection.

CONGRESSIONAL REFORM

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Florida [Mr. BILIRAKIS] is recognized for 5 minutes.

Mr. BILIRAKIS. Madam Speaker, when deficit spending is running at continually excessive levels, when serious matters of public policy descend into partisan bickering and when deteriorating conditions do not seem to be addressed until there is a full blown crisis, I believe that much public confidence in the institution of Congress is lost.

We have been told that November will be a month of reform. For the sake of the American public, I hope this promise is fulfilled. It is clear that the American people are dismayed at the workings of Congress. They want a national legislature that acts responsibly and in the open.

This is—sadly—not the case today. The rules of the House have been used to squelch debate and the committee structure has served not as an intelligent filter of legislation—but more like a clogged drain. I believe we must question the very institutional structure of Congress.

Why do we need restrictive rules to shut off debate on points of order? Why do we need to insulate legislative provisions from legitimate challenge? Why cannot any legislation be questioned? Do we really live in such fear of the standing rules of this body that we must avoid their every implementation?

Why must the Rules Committee act as an insurmountable gatekeeper to enforcement of the rules?

Why, Madam Speaker, do we even bother to have rules or debate when we simply waive them at the slightest inconvenience? Why do we bother each January to solemnly vote in favor of standing rules if they are not worth the paper they are written on?

I believe my colleagues should seriously consider how much further this House will suffer collectively when we operate under restrictive procedures and when we seek to ignore the very standards we set for ourselves. If we will not obey the rules we set, who will respect the laws we pass?

We all know the number of closed and modified closed rules that we approve. One can in deed argue that some limits to debate and amendments are necessary to allow this body to function. The Rules Committee certainly has a necessary purpose. But it is no

mistake that the Rules Committee is stacked in favor of the majority party. It is no secret that there are nine majority members and four minority members.

Thus, our very essence as a representational body—and I would emphasize representational—is called into question. It is the height of irony that the opportunity for debate and amendment is channeled through the most unrepresentative committee in Congress.

I suppose this is a prerogative of power, but make no mistake, it is the plain, bold, unadulterated exercise of power that is used when restrictive rules are applied.

I share the frustrations of many of my colleagues, those on both sides of the aisle, who have been unable to advance their legislative initiatives. Therefore, I am supporting four bills aimed at changing House procedures to encourage more cooperation among Members.

These bills will require more equal representation on the Rules Committee. The legislation also makes it more difficult to waive the rules of the House.

Currently, it only takes a simple majority to pass a rule that restricts the ability of Members to offer germane amendments on the House floor, waive points of order and other rules of the House such as the 1974 Budget Act. If we are going to restrict the ability of Members to debate and amend legislation, then I believe three-fifths of the House of Representatives should vote to do so. The legislation I am supporting will impose this "super majority" requirement.

However beneficial this legislation, we must also recognize that the power to control the legislative process also lies within the conference committees. These bodies may act to accept, reject, or modify provisions which the Members of this body have already approved. This is obviously necessary under our bicameral procedures.

However, the sole check on this power lies within our ability to enforce the rules of the House when a conference report is presented on the floor for consideration. Thus, we must support initiatives such as House Resolution 237 which would open all committee meetings to the public as well as insist on open consideration of conference reports and enforcement of instructions to the conferees. This is absolutely essential to prevent backroom deals and dead-of-the-night legislating.

Conversely, if we shut the doors to the conference and then shut the doors to challenging its work product, what option do any of us have? If we are standing outside the door when the deal is cut, then we would forever be left in the cold.

The Florida sunshine law requires that meetings of the Florida Legislature and other elected bodies be held in

open forums. Floridians have not suffered because their legislators do not meet behind closed doors. There is no reason to think that the American public would be negatively impacted by open meetings in Congress.

I perhaps have a more democratic vision of this institution. I see it as a place where competing interests can be debated, judged, and fairly voted on. I view our institution as an example to the rest of the world in the free exercise of debate and resolution.

All this is stood on its head when we ignore our own rules and legislate in secrecy. If we fail to act or adopt some of the reforms I've mentioned we might as well tear up the civics textbooks that we use in our schools and replace them with copies of "The Prince."

Under our present operations, it is abundantly clear that rules don't matter. Only expedited procedures designed to cut off all points of order. This is just another way of saying, "The end justifies the means."

Instead, I would ask precisely why we must waive our own procedures and shirk from the very rules we enact? Why this is standard procedure? Why do we do this time and time again? It is obviously not just for the heck of it. The American people should ask—whose interests are being served by this method of operation? I suggest that the interests of the American people, those basically disenfranchised by our institutional conduct, are not being served.

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NAFTA

The SPEAKER pro tempore (Mrs. MALONEY). Under a previous order of the House, the gentleman from California [Mr. TORRES] is recognized for 5 minutes.

Mr. TORRES. Madam Speaker, last week I announced my support for the North American Free-Trade Agreement. It was not an easy decision for me. But I am convinced that with the addition of the North American Development Bank announced by Secretary of the Treasury Lloyd Bentsen, and the establishment of a new dislocated worker adjustment program to address NAFTA related job loss, I have made the right decision for my constituents and the Nation.

NAFTA has spurred fears across America. People fear that if the agreement is passed American companies will close and workers will be left jobless. For these reasons I believe it was necessary to address the legitimate fears that some communities and workers may be adversely affected.

To address these issues, I introduced on July 14, 1993, a resolution calling for the creation of a North American Development Bank, House Concurrent Resolution 121. Twenty-four of my colleagues joined me as original cosponsors. The bank is designed to provide a secure, dedicated source of funding for NAFTA-related environmental and develop-

ment projects, not only in the border areas, but throughout North America.

The resolution was supported by a coalition of labor, environmental, and community groups, including the border ecology project, the Natural Resources Defense Council, the National Wildlife Federation, the Texas Center for Policy Studies, the Southwest Voter Research Institute, the National Council of La Raza, the Mexican-American Legal Defense and Education Fund and numerous other local elected and community leaders.

The North American Development Bank that was unveiled on October 27 by Secretary Bentsen incorporates most of the provisions called for by my resolution. It boldly addresses the fears caused by NAFTA in the most efficient and cost-effective manner. Through its leveraging capacity, the NADBank will eventually provide more than \$20 billion to clean up and prevent environmental pollution along the United States-Mexico border, while ensuring that communities that are negatively affected by NAFTA have the financial capacity to create new and better jobs. Workers from Peoria to Los Angeles will be assured that more than \$1 billion will be available for economic development and job creation.

For those who may lose jobs because of NAFTA, the new Dislocated Worker Adjustment Program established by the Department of Labor will provide the training and support necessary to ease their transition into new jobs. It provides for rapid identification and certification of affected workers, meaningful job training opportunities, and generous income support. And for the first time, dislocated workers in secondary and cyclical industries will be eligible for job training and income support.

I have never been against increased trade with Mexico. But I could not support a trade agreement that did not benefit America and its workers. The NADBank and the Dislocated Worker Adjustment Program address many of my concerns about NAFTA and give me hope that the agreement will result in true economic integration and sustained continental development.

When I introduced House Concurrent Resolution 121 last July, many of my colleagues still questioned the administration's commitment to addressing the concerns of American workers. With the inclusion of these critical protections, that commitment can no longer be questioned.

I ask to insert into the RECORD letters of support for the NADBank.

SVRI ENDORSES NAFTA. CALLS UPON ALL LATINO MEMBERS OF CONGRESS TO FOLLOW SUIT

"We have won the battle to include the recommendations of the Latino Consensus in the President's NAFTA package. We now feel that NAFTA needs to be supported," declared Andrew Hernandez, President of Southwest Voter Research Institute [SVRI] at a Washington, D.C. press conference held to endorse the proposed North American Free Trade Agreement along with the Mexican American Legal Defense and Educational Fund [MALDEF] and the National Council of La Raza [NCLR]. The three major national Latino organizations are conveners of the Latino Consensus on NAFTA, an alliance of one hundred Latino community organizations and prominent elected officials.

"By including the North American Development Bank and a NAFTA-specific worker retraining program in his NAFTA package, the President has taken a giant step towards winning approval for NAFTA," added Mr. Hernandez. "Those of us who formed the Latino Consensus as a mechanism to improve the proposed NAFTA by including the interests of Latinos, workers, the border region and the environment, are satisfied that NAFTA now represents those interests. Billions of dollars and tens of thousands of jobs will flow into the Latino community if NAFTA passes, because of the inclusion of NADBank. We are now ready to fight for NAFTA's passage," he continued.

"We salute Congressman Torres and his colleagues for having the vision to join with the Latino Consensus and fight for our united agenda. This is a historic day! Now it is time to roll up our sleeves and fight to assure NAFTA's passage. We call on all Latino Members of Congress and Members of Congress with significant Latino constituencies to endorse NAFTA immediately," added Antonio Gonzalez, Latin America Project Director for SVRI.

SVRI will conduct a grassroots educational campaign directed to Latino leadership in key Congressional districts where Latinos are a significant portion of the population. SVRI's most recent study shows that Latinos in California are inclined to support NAFTA, but a large percentage is still undecided. "We now have an obligation to go back to the thousands of Latino leaders who were part of the process of hammering-out the conditions and report to them that they have been met," concluded Gonzalez.

NCLR ENDORSES NAFTA—CITES KEY CLINTON ADMINISTRATION COMMITMENTS ON DEVELOPMENT BANK AND WORKER RETRAINING

WASHINGTON, DC.—The National Council of la Raza [NCLR], the nation's largest constituency-based Hispanic organization, today announced its formal endorsement of the North American Free Trade Agreement [NAFTA]. NCLR President Raul Yzaguirre said, "We have always taken the position that our support for NAFTA was conditional. I am pleased to announce today that our key conditions have been met. On behalf of the National Council of La Raza, I can now enthusiastically endorse the North American Free Trade Agreement."

Yzaguirre cited two Administration commitments that led to NCLR's formal endorsement:

Establishment of a North American Development bank [NADBank], based on legislation introduced by Rep. Esteban Torres (D-CA), which will provide financing for border infrastructure development and a "domestic window" to support economic development in communities anywhere in the U.S. affected by the NAFTA adjustment process; and

A new dislocated worker re-training program that broadens eligibility to cover workers in seasonal or cyclical industries and so-called "secondary" workers, e.g., tire manufacturers who work "upstream" from auto plants.

"Our selection of the NADBank and worker re-training issues as our principal conditions was no accident," Yzaguirre explained. "The social science research, consultations with experts, discussions with the Latino leadership, and the views of our own grassroots organizations all highlighted the need for improved border infrastructure and more effective job re-training programs. Not coincidentally, polling data show that two-thirds

of Hispanics support NAFTA with these conditions.

"The research shows that, for both Americans in general and Latinos in particular, NAFTA is a net plus, but we also know that, as with any major economic policy change, the agreement will result in both winners and losers," Yzaguirre continued. "We have now been assured that all workers displaced by NAFTA will have the opportunity to participate in effective job re-training programs, and that communities adversely affected by NAFTA will be eligible for special economic development financing."

Yzaguirre also emphasized the broader importance of NAFTA for the Latino community. "NAFTA holds the potential for turning our community's liabilities into assets. For example, after NAFTA, for perhaps the first time in my lifetime, being bilingual in Spanish and English will be an advantage, rather than a disadvantage, in the labor market and in the corporate boardroom."

"Negative perceptions of our countries of origin, created in part by our nation's 200-year practice of treating Latin American countries as inferiors, adversely affect the U.S. Hispanic community. With NAFTA, the U.S. and Mexico have come to the table as equals; this newfound respect has got to help improve the image and prestige of Hispanic Americans."

Yzaguirre was upbeat regarding NAFTA's prospects for enactment. "It is increasingly clear that the Administration is now within striking range of the votes needed for House passage. The opposition seems to have peaked. Substantively, NAFTA is now a stronger agreement that should attract many undecided votes. The Administration has gotten its own act together. Although it will be a tough fight, it looks as if the pro-NAFTA forces have turned the corner."

Yzaguirre outlined his organization's immediate plans regarding NAFTA. In cooperation with the Southwest Voter Research Institute, other Hispanic organizations, and Latino elected officials, NCLR will launch a major grassroots effort in support of NAFTA. "Now that we have a good product, we intend to help 'sell' the agreement. We may be able to help put NAFTA over the top; at a minimum, we know we can make a difference in crucial Congressional districts."

"We also intend to shape the tone of the debate," Yzaguirre warned. "Too much of the NAFTA debate has moved off the merits and into the area of asides and smirks, stereotypes, and caricatures. Not once has there been a question about Canada's culture and heritage; only with Mexico have we witnessed race-baiting as a political weapon. One issue that unites all Latinos is our refusal to stand by while ethnic prejudice and cultural stereotypes are injected into the NAFTA debate; this is unconscionable and we won't stand for it."

STATEMENT BY COUNCILMEMBER MIKE HERNANDEZ IN SUPPORT OF THE NORTH AMERICAN DEVELOPMENT BANK

As member of the Los Angeles City Council, I strongly offer my support to the North American Development Bank and would respectfully urge our Federal Legislators to endorse its passage.

Through NADBank, we will be able to create a balance that would ensure the mitigation of the existing deficiencies in our borders' infrastructure that resulted from a phenomenal increase in trade over the past seven years. This phenomenon has yet to be addressed in any substantive manner. NADBank will have a direct effect within impacted communities.

It is important that while we are thinking globally that we not lose sight of the need to act locally. NADBank will not only bridge the gap of international cooperation, but will also send a clear message that the work force of this nation will not be overlooked.

By addressing the needs of the communities across this nation that undoubtedly feel the strain of existing trade, NADBank can help fulfill our governments' responsibilities to local neighborhoods of job retraining and environmental security that do not exist.

There does, however, exist an opportunity for this nation to not only improve the quality of life for its residents but also to improve the quality of life of our neighbors in Canada and in Mexico.

NADBank can provide the most cost effective manner in which to mitigate the ongoing effects of trade across our borders and ensure that Mexico and Canada will participate in that decision making process in a balanced setting.

Clearly, any effort that will bring down barriers of trade as well as the barriers of misunderstanding will benefit all three nations. We trust that this agreement will do just that.

CITY OF PICO RIVERA,

Pico Rivera, CA, October 26, 1993.

RON JAUREGUI,

Southwest Voter Registration Institute, Montebello, CA.

DEAR MR. JAUREGUI: I want to be placed on record as being in support of the North American Free Trade Agreement (NAFTA) in its current form. Recently, I met with Congressman Esteban Torres, who is a lead voice in support of the Agreement, and I share the Congressman's feelings in support of this project. I have a strong belief that America should not lose an opportunity to strengthen its economic muscle by joining forces with Canada and Mexico. If we do not form this alliance, I feel that competitive foreign economic interests will move into this vacuum.

Most importantly, I see the Agreement as an imperfect Agreement, but a vital one, nevertheless, which will improve economic conditions for most of us.

I support the Clinton Administration's efforts on behalf of NAFTA and I want to be placed on record as also supporting the Agreement.

Sincerely,

ALBERTO NATIVIDAD,

Mayor.

STATEMENT IN SUPPORT OF NAFTA, NATIONAL LATINO CONSENSUS PRESS CONFERENCE, OCTOBER 27, 1993

As Vice Mayor of San José, California's third largest city, I would like to voice my support of the North American Free Trade Agreement. I am optimistic about the results that NAFTA will have on the populous and diverse state of California; especially with the adoption of Congressional Resolution 121 which helps finance environmental improvement and retraining of displaced workers. NAFTA will have a positive effect on the California economy and create more jobs in the long run through the expansion of markets for U.S. goods by slashing the now unequal trade barriers. Also, the creation of better working conditions for Mexican workers will prevent the mass migration of Mexicans into the U.S. which has contributed to past job losses in California. We must help all our economies prosper by creating an equal and fair trade relationship with our neighbors. Finally, NAFTA will serve to

strengthen the ties between Mexico and our country which is long overdue considering the history of negative misperceptions and mistrust between the two countries. Again, please support NAFTA and help to make fair and positive relationships with our neighbors a reality. Thank you.

To: Southwest Voter Research Institute.
From: Maria Nieto Senour, Member, San Diego Community College District Board of Trustees.

Re Latino Consensus on NAFTA.

Since the Administration has included the Latino consensus recommendations, I am pleased to be able to endorse NAFTA at this time. I regret being unable to attend the press conference to be held in Washington, D.C. on Wednesday, October 27, 1993. I will be there in spirit.

ARIZONA HISPANIC COMMUNITY FORUM NAFTA ENDORSEMENT STATEMENT

The Arizona Hispanic Community Forum congratulates President Clinton for his acceptance of some of the key Latino Consensus recommendations which many of our organizations throughout the nation developed because of our collective concerns about the impact the NAFTA would have on citizens and our communities. We also applaud the Southwest Voter Research Institute, National Council of La Raza and the Mexican American Legal Defense and Education Fund for initiating and supporting this effort on behalf of the Latino populations.

A major step forward has been taken by the President in embracing our position on the NAFTA. A message has clearly been sent to our Latino communities from around the nation that President Clinton does acknowledge our presence at the political level and that he respects our desire and right to be full participatory citizens of the United States of America. Although the Arizona Hispanic Community Forum could not be present at this historic event, the Forum proudly joins SWVRI, NCLR, MALDEF and the many other organizations in the U.S. in endorsing the NAFTA. God bless America!

ROSIE LÓPEZ,
Founder and Past President,
AHCF.

TONY BRACAMONTE,
AHCF-Glendale Chapter
Founder and
Kellogg Fellow.

RON MORALES,
President, AHCF.

ARIZONA HOUSE OF REPRESENTATIVES,
Phoenix, AZ, October 26, 1993.

MARY JO MARION,
National Council of La Raza,
Washington, DC.

DEAR MS. MARION: Please add the names of Senator Pete Rios, Representative Joe Eddie Lopez, Representative Ruben Ortega, and the name of the Arizona Hispanic Community Forum to those who are gathering in Washington, DC, to announce their support of NADBank and workers retraining proposals.

More specifically, you may announce that the above mentioned can and do endorse the North American Free Trade Agreement. It is our feeling that the side agreements on labor and environmental standards, along with the positive aspects of the NADBank and the workers retraining proposals, enhance NAFTA and that the trade pact would make good social and economic public policy.

For more information, please call Joe Eddie Lopez (602/542-5830) or Tony

Braccamonte/Rosie Lopez (243-8120) of the Arizona Hispanic Community Forum.

Sincerely,

PETE RIOS,
State Senator.
JOE EDDIE LOPEZ,
State Representative.
RUBEN F. ORTEGA,
State Representative.

MOLINA ENDORSES NAFTA AFTER WHITE HOUSE AGREES TO RECOMMENDATIONS OF LATINO CONSENSUS

LOS ANGELES.—Los Angeles County Supervisor Gloria Molina has announced her support of President Clinton's NAFTA package. The endorsement came after a long series of negotiations between key Latino leaders and the White House which saw Latinos gain key additions to the current NAFTA proposal.

"I am pleased to announce my support for the current NAFTA proposal which includes improved programs that will benefit Latino interests across the country," said Molina. "There is no doubt that the Latino community will benefit from the billions of dollars and tens of thousands of jobs generated as a result of a new improved NAFTA. I am proud to join key Latino leaders throughout this country in supporting the current proposals."

Early in the process, Supervisor Molina joined a number of key Latino leaders to form the Latino Consensus for NAFTA which promoted the creation of the North American Development Bank (NADBank) and a NAFTA-specific worker training program as a part of the NAFTA package. Workers rights, environmental issues, and infrastructure improvements were also part of the concerns expressed and addressed by the Consensus.

Supervisor Molina's announcement was timed to coincide with a press conference in Washington DC to announce the agreement with the White House.

QUESTIONS ON NOMINATION OF MORTON HALPERIN

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Louisiana [Mr. LIVINGSTON] is recognized for 5 minutes.

Mr. LIVINGSTON. Madam Speaker, I continue to be utterly amazed that the Clinton administration would try to appoint Morton Halperin, a radical who wants the United States to put our military at the beck, call, and direction of the United Nations, to a newly created position called "Assistant Defense Secretary for Democracy and Peacekeeping." How is that for a vital defense post?

My list of concerns about Mr. Halperin is long, as I have detailed a number of times on the House floor. Suffice it to say that if Mr. Halperin's advice had been followed for the last 20 years, the cold war would still be raging, with the Communists in a strong position, and Saddam Hussein would control half the world's oil supply—perhaps protected by nuclear weapons.

On top of that, the Clinton administration has piled on another clear affront to our system of checks and balances.

The perpetrator is none other than White House Counsel Bernard Nuss-

baum, the same man who gave us Zoe Baird, Lani Guinier, a botched White House Travel Office investigation, a botched suicide investigation, and a ridiculous defense of the failure of the administration's Health Care Task Force to comply with basic record keeping laws.

And now, in support of Mr. Halperin's nomination, Mr. Nussbaum is fooling around with the national security of the United States and all its citizens.

In an example of unprecedented political interference by the White House into the CIA's relationship with Congress, Mr. Nussbaum has blocked CIA Director James Woolsey from briefing a group of Senators about some documents allegedly relating to Mr. Halperin.

Ladies and gentlemen, under current law, the CIA Director is required to keep Congress, through our Select Committees on Intelligence, apprised of intelligence activities. Yet Mr. Nussbaum has blocked the CIA from living up to those responsibilities when Mr. Halperin is at issue.

We do not know if the alleged documents have any bearing on Mr. Halperin's nomination or not. That is what the good Senators want to find out, and that is what they have a right to find out. If the CIA has material which would bring even further into question the fitness of Mr. Halperin for his Defense Department post, the Senators who must vote on the nomination have a right, and indeed a duty, to be briefed on that material.

In a similar situation, various Senators have written both Defense Secretary Aspin and Undersecretary Frank Wisner for copies of memos Mr. Halperin wrote concerning our ill-conceived policies in Somalia. Mr. Wisner has admitted the existence of these memos, but for some reason, after more than 3 weeks, he has not yet provided copies of those memos to the good Senators who requested them. What is he hiding?

And what is Mr. Nussbaum hiding?

Could it be some things that are even worse than what is already known about Mr. Halperin? Even worse than the complete renunciation of covert operations which Mr. Halperin has advocated? Even worse than the explicit renunciation of America's right ever to act unilaterally in foreign affairs? Even worse than Mr. Halperin's defense of a CIA defector who exposed the names of hundreds of CIA operatives, at least one of whom was soon thereafter assassinated?

Why are Mr. Nussbaum and Mr. Wisner covering up for Mr. Halperin? What are they covering up?

On Somalia, the questions are easy: What did Mr. Halperin say, and why can the Senators not see it?

And regarding the CIA and Mr. Halperin: What does the CIA know, and why can we not know it?

Stop the coverup. Get the truth out about Morton Halperin. Or else withdraw his embarrassing and outrageous nomination, immediately.

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THE NORTH AMERICAN FREE-TRADE AGREEMENT

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Missouri [Mr. GEPHARDT] is recognized for 5 minutes.

Mr. GEPHARDT. Madam Speaker, I want to speak tonight for 5 minutes on the issue of NAFTA and the vote which is coming here on November 17.

I want to focus tonight on one aspect of NAFTA, the most important single issue, which is its impact on the standard of living and wages, the wages of Americans and the wages of Mexican workers.

In economic affairs, our guiding national goal should be a high and rising standard of living and a long-term policy of insuring better jobs at better wages. By not addressing key issues like water, our wages and our standard of living will seek its own level and, drawn down by the lower wages of Mexico, our standard of living will continue to stagnate or decline.

Mexican wages are kept artificially low because of the actions and inactions of their Government. Government rules and procedures set both minimum wages and maximum wage increases for the vast majority of hourly workers in their manufacturing industries. They have kept these wages low to help their economy grow. They have sought to combat inflation and attract investment from companies seeking low-wage labor as a way to cut costs.

Mexican wages must rise, because it is the right thing for the people of Mexico. They must also rise because we want to make them better consumers of Mexican and United States products; and if their wages do not rise, the downward pressure on our wages will continue.

Official data from the Mexican Government best tell the story. Since 1980, real hourly compensation fell by 32 percent in Mexico, while productivity in manufacturing increased by more than 30 percent. Economists tell us that wages should roughly track productivity increases; yet Mexican workers are producing more and getting less.

Now, does this NAFTA do enough to ensure that while companies may be attracted to Mexico's high-quality labor force or lower wage structure, we have done all that we can to eliminate artificially low wages in Mexico?

The answer, unequivocally and undeniably, is no. In the area of labor, this NAFTA is actually worse than the status quo for two reasons. Under the NAFTA, the Mexican Government re-

fused to allow industrial relations—the right to strike, the right to bargain collectively, and the right to freely associate—to be covered under the dispute resolution procedures of the Free-Trade Agreement. In my view, this is a glaring and critical omission. It is equivalent to an environmental agreement that excludes air and water.

What the Mexican Government has said is that they are unwilling to allow oversight of whether they are enforcing the most important part of their labor laws. We are not talking about imposing United States labor laws on Mexico. I simply want them to enforce their good laws.

Their constitution provides basic labor protections, that includes family and medical leave. It includes striker replacement limitations; but you can have the best laws on the books, and if they are not enforced, they are not worth much. That is the case in Mexico.

The largest union federation, which covers the vast majority of workers, acts as a quasi-governmental agency. Each year they enter into what is known as *el pacto* that sets minimum and maximum wages.

A conscious decision has been made in Mexico to keep wages artificially low to continue to attract investment. That hurts their people. It also hurts our people by attracting our jobs to Mexico and putting downward pressure on our wages and by preventing Mexicans from becoming good consumers of our products.

The second reason why NAFTA is worse than current law is that Mexico currently is a beneficiary of what we call GSP, Generalized System of Preferences. One of the key conditions of GSP is that a beneficiary must afford their workers internationally recognized worker rights—the right to strike, the right to organize.

The leverage of the GSP has been lost. So passing this NAFTA will ratify and even worsen the status quo.

Mexico at least has made an effort about the environment during the negotiations. We saw a number of high-profile activities. They closed a refinery. They conducted a lot of enforcement on the border; but in the area of labor law, Mexican officials did not even make a good-faith effort at change. Instead, they showed that the status quo will continue. They arrested and confined a man by the name of Don Agapito, a Mexican labor leader who was fighting for higher wages in Matamoros. They helped to break a strike at the Volkswagen plant. At no time did they show a genuine commitment to carry out their own labor laws on behalf of their own workers.

So this issue of wages goes to the heart of whether or not this NAFTA is sufficient. The critical omission of not putting the industrial relations part of their labor law under the enforcement

process is a glaring and critical omission.

The other major issue that was not treated in NAFTA is a steady stream of revenue to take care of the problems of infrastructure and environmental remediation on the border. I hope at a later time next week to address that issue in great detail.

It is because of these two omissions that I believe this NAFTA is not good for the American people. It is not good for the Mexican people.

I believe that if it could be changed, we should pass NAFTA, but not this NAFTA because of these glaring omissions.

I hope and I pray that in the future if this NAFTA is defeated that we can fix the problems and get a free-trade agreement with Mexico that works in our interest and in their interest and the interest of our people and their people.

CAPE GIRARDEAU'S CHAMBER LEADER: BOB HENDRIX

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Missouri [Mr. EMERSON] is recognized for 5 minutes.

Mr. EMERSON. Mr. Speaker, I rise today to recognize a visionary in the economic development profession. Bob Hendrix, the current president and chief executive officer of the Cape Girardeau Chamber of Commerce, is retiring at the end of this year. As the Congressman who represents Cape Girardeau and the southern Missouri region, I can unequivocally tell this body that Bob Hendrix is a man of the highest integrity as well as a leader in his personal and professional communities.

Bob came to Cape Girardeau more than two decades ago, and he has played a key role in the economic evolution of my hometown which is nestled along the Mississippi River on the northern edge of Missouri's Bootheel. Back in 1972, he brought with him years of experience—educational, military, and professional. At that time, Springfield, MO's loss of a director of legislative and civic affairs in their chamber office was certainly Cape Girardeau's gain.

In Bob's 21 hard-working years at the Cape Girardeau Chamber, he has personally recruited dozens of new businesses and industries, which in turn provided new expansion possibilities for existing businesses and industries in the southern Missouri region. Creating more and better jobs and quality of life opportunities for the people of our region has not been a job to Bob Hendrix, it has been his way of life.

While serving as a chief salesman for Cape Girardeau and the surrounding region, Bob has also been a positive force in local governmental affairs. Among the many accomplishments, he was instrumental in the establishment of the Southeast Missouri Regional Port Authority which provides huge trade opportunities as we approach the 21st Century, Cape Girardeau County's Industrial Development Authority, the Cape Girardeau Convention and Visitors Bureau, the Charter Form of Government for the City of Cape Girardeau, Cape

Girardeau's Downtown Redevelopment and Revitalization, starting Riverfest, and the development of the local chamber of commerce as the front door to the Cape Girardeau community.

As this partial list of accomplishments attests, Bob Hendrix's path is well marked. He is leaving the local chamber of commerce and passing on to us in Cape Girardeau a legacy of many positive, community achievements. In fact, as the hometown daily newspaper, the Southeast Missourian, pointed out on its editorial page: "His longstanding tenure bucks the odds. His 20 year record is 4 times the average stay of a chamber director. But those who know him well realize—Bob Hendrix is no ordinary chamber director."

Bob has always said that working for our community through the chamber office never gets boring because there are new challenges every day. Now, the always hardworking man is confronting new challenges. On behalf of the entire Cape Girardeau community, I want to wish Bob and his wife, Rosemary, Godspeed in all of their future endeavors, with abundant health and happiness.

Cape Girardeau, MO is indeed a better place, thanks to Bob Hendrix.

BIGOTRY IN ELECTIONS

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from the great State of Texas [Mr. DELAY] is recognized for 5 minutes.

Mr. DELAY. Madam Speaker, I thank the Chair, especially the great State of Texas, since today is the birthday of Stephen F. Austin. I know they are celebrating that in Florida.

Madam Speaker, since it is Stephen F. Austin's birthday, in the name of Stephen F. Austin I come to the well to express my outrage at two things that have happened in the recent elections that were held yesterday.

Outrage No. 1 is at the national press of this country and outrage No. 2 is at the Democrat Party and the Democrat candidates in the races in Virginia, the elections held yesterday.

During that campaign, I have never witnessed religious bigotry as I witnessed during the campaign for Governor, Lieutenant Governor, and attorney general in that grand State of Virginia.

The Democrat candidates, Mary Sue Terry for Governor, Don Beyer for Lieutenant Governor, particularly Don Beyer for Lieutenant Governor, who in my opinion is a religious bigot, and the candidate for attorney general, William Dolan, ran against one of the finest people I have ever known and seen, Mike Farris who ran for Lieutenant Governor in the State of Virginia.

I noticed Mike Farris who is an openly religious Christian and a Baptist minister, he happens also to be a fine constitutional lawyer, was viciously attacked and lied about only because he was a Christian and his whole life was torn apart in that race in Virginia only because he was a Christian.

□ 2000

Madam Speaker, I thought that the days of religious bigotry were put aside when there were attacks on President John Kennedy in the sixties because he was a Catholic. But they have been revived in Virginia, and I am afraid they are going to be revived all across this country. When people who happen to believe in Jesus Christ and call themselves Christians run for office, they will be brutally attacked for their religious beliefs, and this is particularly outrageous in Virginia, the home of Thomas Jefferson. Thomas Jefferson would be branded religiously intolerant and have trouble getting elected Lieutenant Governor, much less President of the United States, under the guidelines imposed by the Democrat Party in Virginia.

And the worst part about this was the national press did nothing about it. Now, if the shoes had been reversed, we would have seen week in and week out, month in and month out, the attacks by the national media on Republicans that may have persecuted religious Democrats. I mean do we have to remember when Vice President Quayle spoke about Murphy Brown's television show to understand that the national media took that small statement made in one speech by the Vice President and brutalized him for months over that statement? Do we forget what the national media did to President Bush during the campaign against Michael Dukakis when he happened to point out that Michael Dukakis was in favor of weekend furloughs, and because of weekend furloughs Willie Horton went out and brutally savaged a couple in Maryland? Yet the national media attacked President Bush, then Vice President Bush, for being a bigot just because Willie Horton happens to be black.

Yet here a man's life, his religious beliefs, and his family under brutal attack, especially over the last few weeks by the Democrats, particularly the now-elected, reelected, Don Beyer, the Lieutenant Governor of Virginia, and for what? I can remember the television screen showing ads paid for by Don Beyer against Mike Farris who accused him of trying to remove stories like Cinderella, Rumpelstiltskin, and the "Wizard of Oz" from the school curricula. Now, they took that so out of context that it has to be called a lie, and the only reason they did it was to persecute Mr. Farris because of this beliefs.

Madam Speaker, what we have done is, as elected leadership of the House, signed a letter to President Clinton who has expressed himself to be adversely supportive of religious bigotry, a letter asking the President of the United States to renounce the Democrat Party in Virginia and renounce religious bigotry in this country.

DID RON BROWN ACCEPT A BRIBE?

The SPEAKER pro tempore (Mrs. MALONEY). Under a previous order of the House, the gentleman from Indiana [Mr. BURTON] is recognized for 60 minutes.

Mr. BURTON of Indiana. Madam Speaker, some time ago allegations were made that the Secretary of Commerce, Mr. Ron Brown, accepted a bribe of \$700,000 from the Vietnamese Government to normalize relations with that country and to lower the trade barriers we have with them, even though we have not had a full accounting of the 2,200 POW/MIA's. These allegations were made by a man named Binh Ly from Florida who had worked with a man named Mr. Hao, and Mr. Ly had evidence that Mr. Brown, working with Mr. Hao, had cut this agreement along with the government of Vietnam, and the prime minister of Vietnam himself had written a letter to Mr. Brown opening up this negotiation process. Mr. Ly took an FBI lie detector test that lasted for 6 hours, and he passed it with flying colors. Mr. Ly worked with the FBI for some time trying, through wiretaps on telephones and other means, tried to get evidence on Mr. Hao and Mr. Brown for the purpose of indictment and cleaning up this mess.

When Miss Reno became the Attorney General about 5 weeks later, Madam Speaker, the investigation was abruptly halted, and only after about 3 months and an exposé by TV stations and newspapers was the investigation reopened by empaneling a grand jury in Miami to investigate these allegations and to find out whether or not Mr. Brown did, in fact, agree to take a \$700,000 bribe to open negotiations with Vietnam and normalize relations.

Mr. Brown, the Secretary of Commerce, said he had never met Mr. Hao, and then he later said he met him not once, but three times, the third time being at the Department of Commerce after having dinner with him, and he said that those were just social engagements. Mr. Brown testified before a subcommittee panel, on which I sat, that he had never had any discussions with any of his staff about negotiations with Vietnam or normalizing relations with Vietnam, and he was not aware of any negotiations that were taking place at the behest of his department, and yet we find out from a source down at the White House that in June of this year members from the Commerce Department, we believe his chief deputy, led the fight to normalize relations with Vietnam and that Mr. Brown could not possibly have not known about that being the secretary of that department.

In July and in September two giant steps were taken to normalize relations with Vietnam even though we have not had a full accounting of our POW/MIA's, and we believe that Mr. Brown

lied to the congressional committee on which I serve. He lied to the Committee on Foreign Affairs, and we believe that all of these issues ought to be answered fully through a congressional investigation.

As a matter of fact, Madam Speaker, these allegations were brought to the attention of the Committee on Government Operations here in the House, and the gentleman from Pennsylvania [Mr. CLINGER], the ranking Republican, has written to Mr. Brown and to the President asking for a complete litany of telephone logs and travel logs of Mr. Brown so we can get to the bottom of this. The bottom line is that there are two big clouds hanging over the Clinton administration, and they are caused by this scandal.

Did Mr. Brown take a \$700,000 bribe? We do know that a bank account was opened by the Vietnamese Government in Singapore, and Mr. Ly said that that is where they did it, at the bank window of Suez, and we do not know exactly how much money may have been deposited in a bank in Singapore, but \$700,000 was the figure we heard about.

We also heard that Mr. Brown was not only going to get \$700,000 up front, but he was also going to get a percentage of or royalties of all the oil that would be sold out of the oil fields there in Vietnam, and it is one of the largest oil resources in the entire world.

In any event, Madam Speaker, because of these allegations and because it is so important that we have credibility in the White House and in the administration, I wrote a letter, along with many of my colleagues, to President Clinton on September 30, and in that letter we wrote to the President, signed by, I believe, about 15 to 20 Members of the Congress, we asked that the President stop any negotiations toward normalizing relations with Vietnam until the grand jury in Miami has reached a conclusion and until the Congress of the United States has completed its investigation.

Then on October 12, Madam Speaker, we wrote a letter to the President asking him about the National Security Council meetings that were held at the White House in both June and September that took these first two giant steps toward lowering the trade barriers and normalizing relations with Vietnam. We asked him who was at the meetings, what was discussed at the meetings, and the dates of the meetings. So far the White House has not answered us. This letter was written on October 12, about a month ago, almost a month ago, and we have been stonewalled. This information needs to be given to the Congress so we can clear this up.

In addition to that, Madam Speaker, many of us felt like there should be a special prosecutor appointed by the Attorney General. We wrote the Attorney General, Janet Reno, on October 19, a

letter giving her the names of eight people with impeccable credentials, former Attorneys General or prosecuting attorneys for the Attorney General's office, and we told her that we would work with her to pick somebody that was above reproach to investigate the Ron Brown affair, and the reason we sent that list to her was because she said, and I quote:

If I appoint the person or select the person to be a special prosecutor, you are going to question the conflict of interest as long as I'm involved in that process.

She said:

Once again, for me to appoint somebody, you will be telling me, well, this person has a conflict of interest, too, because you appointed them.

That is why we sent her the list of eight people from which to pick one to be a special prosecutor.

□ 2010

That letter was signed by all of the Republican leadership in the House. We have not received a reply from Janet Reno, and that was about 3 weeks ago.

On October 27, we wrote a letter to the President of the United States, and it was signed by about 20 or 25 Members of Congress, asking the President to have Secretary of Commerce Brown recuse himself from any involvement in negotiations to normalize relations with Vietnam or lower the trade embargo.

We have written a litany of letters. So far, all we have received is dead silence or form letters from the White House or from the Justice Department or from the Commerce Department.

So, Madam Speaker, I would just like to say tonight, and I hope the media throughout the country will ask these questions of the President and the White House, why will you not send this information to the Congress of the United States? If Secretary Brown was not involved in any of these nefarious affairs, if he did not take a \$700,000 bribe, or try to get a \$700,000 bribe, if he did not agree with the Government of Vietnam that he would get a percentage of the business he brought to that country or a royalty for every barrel of oil that was sold, if he did not do any of these things, and if the telephone logs and the travel documents will bear this out, then why not send them up to us? It will clear this thing up in no time and remove the cloud from the administration of the President of the United States.

But if he is guilty, and if you are stonewalling the Congress of the United States because you think he might be guilty, then that is wrong, and this investigation will continue to go forward, and we will keep pressing the issue. We will have a resolution of inquiry filed and create a constitutional crisis between the legislative branch and the executive branch.

I know the President can use his Executive privilege to keep us from get-

ting this information, but I truly believe the media at some point in the future is going to demand it.

So the bottom line is, let us get to the bottom of it. If Mr. Brown is guilty, remove him, get him out of that position. He should not be in Government if he corrupted himself. If he is innocent, send us the information as quickly as possible so we can clear this up and not waste any more of the Congress' time.

So I would hope all of my colleagues, that may be paying attention, and the media that may be paying attention, will ask the President to answer these questions: Why will you not send that information to the Congress? If Mr. Brown is innocent, send the information up here. If he is not, remove him from office. That question should be asked again and again and again, not only of Mr. Clinton, but of Mr. Brown himself as Secretary of Commerce. We should also ask the Attorney General of the United States why she has not appointed a special prosecutor that is above reproach. We gave her eight names, and we are still not hearing from her.

With that, I see my colleague here from Florida [Mr. MCCOLLUM] and we were going to discuss for a brief period tonight a little bit about the terrorist problem throughout the world.

Mr. MCCOLLUM chairs the committee that deals with international terrorism, and he has brought an awful lot of interesting facts to the floor in the not too distant past.

So let me just start off by saying, before I yield to Mr. MCCOLLUM that one of the things I found out regarding Somalia, through his efforts, was that terrorists have been meeting in Khartoum and set up terrorist camps in and around the Sudan, and their sole objective is to, I believe, and I believe Mr. MCCOLLUM believes, to undermine the United States efforts in that part of the world. And we believe, after hearing of the meetings that took place in Khartoum involving, I believe, Iran, Iraq, people from Afghanistan, the Sudanese, and Mr. Aided himself, that possibly terrorists from that area went into Somalia and were involved in the downing of our helicopters and killing a lot of our troops over there.

If the gentleman would like to shed a little bit of light on that.

Mr. MCCOLLUM. Madam Speaker, if the gentleman will yield, I think it is a very important bit of information that the Task Force on Terrorism and Unconventional Warfare on our side of the aisle has unearthed and has been publishing in the last few weeks describing the detailed involvement that I do not think has been generally brought out in the media and elsewhere of outside forces in that October 3 tragedy where so many of our troops were killed, our Rangers.

We all know there have been problems with our folks being there. But it

looks like that this was indeed a setup, an ambush, something prearranged, determined and plotted. Not simply by Aided, but by the Somalis, that are one of the fragmented tribes over there, of course, in Somalia that have been causing us trouble all along. But rather by these outside forces that the gentleman has so accurately described that had training bases and still have training bases in Sudan.

The information that we have is that the fact of the matter is that over a considerable period of time earlier this year this group had been working to bring weaponry into Mogadishu, and that they had also sent some special operatives who had been trained during the period of time when we had Afghan resistance and we, the United States, were supporting that, and Pakistan, trying to drive the Soviets out of Afghanistan.

Mr. BURTON of Indiana. If I might interrupt, regarding the weapons that come into the Sudan and then ultimately are getting into Mogadishu, we do not really know what all those weapons are, but we do know that we had some pretty sophisticated weapons that were in Afghanistan and Iran and Iraq and that part of the world, that would be very, very effective in downing helicopters or doing damage to our troops over there.

Mr. MCCOLLUM. If the gentleman will continue to yield, that is exactly right. One of the things that, again, our task force believes is that there was some organized effort by the Iraqis in particular, and there was sort of a group presence, which is surprising to a lot of people in the aftermath of the fight between Iraq and Iran that preceded the DesertStorm period. But it looks like they have gotten together again well enough to coordinate with the Sudanese on this.

They apparently, the Iraqis, are the ones that organized heavy weapons, mainly dual-use 23-millimeter guns and RPG-7's for the use against American helicopters. That is what they brought in there that specifically surprised people, that these weapons were available and that they were in Mogadishu at the time for these attacks to take place.

Again, it looks like a very organized effort. Again, without taking too much time up, I think there needs to be a little background on this.

Most of the Moslem world, I believe, and I am sure the gentleman believes, and most of the Moslems here in the United States today, are very fine and upstanding people. And this is certainly not to be critical of them.

But there is a small contingent of very radical Moslems emanating primarily out of Iran and Iraq that have over time worked to basically control affairs in some other countries, Sudan being one of them. And they have been able to gain cooperation in an effort that appears to be to take control of

northern Africa and the Horn of Africa, as well as spread their influence over the Moslem world. They want to control it for their purposes, which is very complicated and very complex.

Mr. BURTON of Indiana. Well, one thing I would like to add to what the gentleman is saying, if they take Egypt, and they were able to destabilize the governments of, say, Saudi Arabia, it would have a tremendous impact on the economies of the Western World, because we get as much as 70 percent of our oil supplies from there.

Mr. MCCOLLUM. That is exactly right. The primary targets I believe right now are Egypt, Tunisia, and Algeria, and eventually Saudi Arabia. But having an opportunity like they had to get at United States forces to try to drive us out of the region, to demoralize America, if you will, shows that they can perform acts of terror against us wherever we have our forces exposed. It was too much to resist in Somalia.

They had a presence there. It is a Moslem country. They had contacts. But here was a great opportunity, and they saw that last year, to begin building toward that in 1992, and here in 1993, with the meetings that you described earlier. They began to formulate plans as to how they could take advantage of our presence there, while we were there, and the so-called U.S.-U.N. force thing that you and I have been rather critical of.

So it seems to me it is a logical extension. It is the same folks that brought us the World Trade Center bombing. It is the same folks that brought us the assassination attempts on our CIA folks out here outside of Langley, VA, by that fellow from Pakistan, and the same folks who tried to bomb the United Nations and the Lincoln Tunnel in New York, but, fortunately, somebody squealed on them and they did not get away with it.

It seems, again, these are all interpretations, but rather logical ones, based upon evidence that we have, that they are, as a group, attempting to use terrorism and this unconventional warfare as a method, first, of recruiting young rebels and radicals to their cause in the Moslem world, and; second, in an effort to try to send a message to other Moslem countries over there that they are not safe from this sort of thing. That even the United States cannot protect them, since we have trouble with it ourselves, as we obviously have in Somalia.

So they are very clever about this. This is not a direct confrontation, but it is part of a pattern that is developing.

Mr. BURTON of Indiana. I serve on the Committee on Foreign Affairs, and one of the things that we debated today was a resolution that would deal with the withdrawal of our troops from Somalia. We are talking about keeping

our troops in, the President wants to keep them in until about the end of March of next year.

Now, if you take the information that you have given, and I wish everybody in the Congress would read this, because it is not classified and it is very, very important. And most Members do not know what you have just said, and they are probably not paying attention tonight.

But if you take the information that you have, and you realize what they have done thus far, being involved, we believe, in bringing down our helicopters and being at least instrumental in killing 18 people in those helicopters and wounding another 70, that if we keep our troops in a defensive posture, and right now we are building roads around Mogadishu so we do not have to go through it and the rebels, if you will, or the tribes, Mr. Aided's tribe and others over there, they are now once again taking control of the city, bit by bit.

□ 2020

And we are staying in a very defensive posture. It seems to me that these radicals who want to discredit the United States and reduce our prestige in the world would at some point between now and the end of March perpetrate some type of atrocity or terrorist attack like we saw in Beirut back in 1983 that killed 235 marines. It seems to me that we have our people sitting there as sitting ducks, and we are not doing anything to protect them other than bringing in additional equipment to surround them.

Mr. MCCOLLUM. Madam Speaker, if the gentleman will continue to yield, I think he is exactly right. What we have done is let our troops be sitting ducks in this environment, because we do not have a policy to deal with this kind of a threat. It is being recognized slowly but surely, but nobody has developed a policy. There is no consistent, coherent direction of when we use our force, how we use it, how we protect them and what we are attempting to accomplish in northern Africa or in this region in the face of this kind of an enemy. Frankly, the way it is spreading out, and it looks like their presence is being felt in far regions, India, perhaps, and Afghanistan, of course, and in Pakistan and elsewhere, it would seem to be logical to assume that outside of what might be there in the aftermath of the fall of the Soviet Union, with some of these radical states that we do not know where they are going, outside of that, this could be the single biggest threat to our security interests right now. So the question is, When will this administration give us the kind of guidelines that are needed? When will the Department of Defense, for example, provide guidelines for the use of force in these circumstances. There should definitely be certain parameters

where you pick and choose where you do use your forces and you recognize that they are looking for opportunities and looking for targets like us. And it does not make any sense to put a few of our people out there in harm's way without absolute commitment to going forward and doing the job, whatever it is, completely.

Mr. BURTON of Indiana. We had a number of members of the Foreign Affairs Committee meet with the President, along with some of the leaders of the House and the Senate, a couple of weeks ago, right after that tragedy occurred in Somalia. I was not surprised to find out the President was aware of this meeting that took place in Khar-toum and the 3,000 terrorists that are down there in those camps. The concern I have, and the feeling I have, and I am sure you probably do as well, is if we know where those camps are, and we do know, we know where the terrorist camps are, we know or believe that they were involved in killing those people in that helicopter and have been involved with Aided, that we have two choices to make.

One is to go in and knock out those camps and to get the job done and then bring our troops home, which might involve more troops, or get our troops out of harm's way as quickly as possible and remove ourselves from Somalia and not have them as sitting ducks. It seems we have to have a policy of one or the other. And if the policy is to keep them there the way the President is talking about, I think we are asking for real tragedy in the not-too-distant future.

Either go in and knock out those camps. We know where they are. We can deal with the strategic air strikes, and we would eliminate the danger. And then bring our troops home or bring them home right now.

Mr. MCCOLLUM. We do not get to set that kind of policy, and I do not pretend to know the inside track on maybe information that is not publicly available. This is not classified, as you have said, but it makes sense to me, just common sense, that it would be a perfect opportunity for us to teach a lesson to this group that they are not going to get away with it by going out and knocking out a couple of those training camps. It does not mean that is the end of our problem, because this is apparently a very long-term commitment. But it does send a signal that we are not going to allow this kind of an ambush and thing to happen to our soldiers under these conditions without somebody paying a price.

Let us also make one comment. There was a price paid, and our Rangers have gotten a little bit of abum rap because the Rangers that were tied down in this ambush equipped themselves exceedingly well. There was a huge casualty take on the part of these people doing the ambushing. But that

was mostly the Somalis who were in there being led by this group.

The people who we really need to get at were not being hurt by this particularly. They are the ones who are the advisers, that small core that were trained to go into Mogadishu. They are the ones shipping the weapons, the ones directing the traffic, and their training base for doing all of this and training a few of the Somalis is what you are talking about in Sudan. That is what needs to be knocked out.

Mr. BURTON of Indiana. The gentleman is absolutely correct. The thing about our defensive posture over there that concerns me the most, as I said before, is the possibility of another terrorist attack like we saw in Beirut in 1983. When we lost those 18 men in Somali, when the helicopter was brought down, it took the troops that were trying to rescue them I think 14 hours to just go across the city of Mogadishu. That was because we did not have adequate military equipment. They did not have armored personnel carriers and tanks. That was because the Secretary of Defense declined to send them over there, send that equipment in there, even though the general, General Montgomery, on the ground asked for it. So this terrorist problem you are talking about is very real. We have got to deal with it, and the administration must come up with a policy to deal with it as quickly as they can.

Mr. MCCOLLUM. I think we need to, without spending time going into a lot of detail, to trace this back one step further, because lots of people do not understand. They come up to you and me, because we deal with this in foreign policy areas and are familiar with it, you on the committee and me because of the Terrorism Task Force. And they will say, "You just said that here are some Suni Moslems in Sudan who are cooperating with the Iranians and Iraqis. How can all of this be, since Sunis and Shiite Moslems never get together?" And the Shiites are the ones who are primarily in Iran and that is where Rafsanjani is and the Ayatollah Khomeini, who are really, to my way of thinking, the most evil, if there is such a thing, the ones perpetrating most of this.

And the answer to that is fairly simple. For years they did not get along and in most places they do not to this day, and presumably they will not for many years in the future. But they had a meeting of the minds among a small group of them, both Suni and Shiite, when Taroubi and others joined in a meeting in Tehran in 1991, I think in October of that year. And they made a collaboration. We do not know all the details of it. We know that they did, in order to further their believed mutual cause of trying to drive us out of the area and trying to have this more radical form of Moslem belief and government, or if you want to call it that,

they do not even believe in a state, but their belief in where it all ought to go, they formed a compact. This is an extension, apparently, of that.

Not everybody participated, but there were participants. And clearly, the Sudanese Government did.

I think that is the critical thing that led to this and is why we are today seeing the developments of the World Trade Center. I do not think we ought to take more time with it tonight. I know you want to yield to the gentlewoman, who is also a member of our task force, who is my good friend and our neighbor here. But I do think that this is a good time to have made the point.

I appreciate your letting me come over and share a little of your time to do that.

Mr. BURTON of Indiana. What I would like to do in the future, maybe later this session or next year, is take an hour and go into a lot more detail about your task force and the terrorist problem around the world.

I would like to end up by just saying and echo what you said a few minutes ago. We have millions of Moslems in this country and around the world that are wonderful people, law-abiding people that are not in any way connected to these radical terrorists. We need to make sure that people do not lump all Moslems together because the vast majority of Moslems, like the vast majority of Christians or Jews in this country and the world are law-abiding people. But there are terrorists, a small, minute group that is trying to destabilize a large part of the world and for their own purposes. Those are the ones that we are talking about.

Mr. MCCOLLUM. One last comment on that. It is that radical group that is disproportionately powerful, because they control governments that are very much dictatorships. And they have a lot of power, even though they are small in number based, as you said, on the total population of the Moslem world.

I thank the gentleman for yielding. It is an excellent discussion. It is just a beginning, as you say.

Mr. BURTON of Indiana. I thank you for your contribution.

With that, Mr. Speaker, I yield to the gentlewoman from Maryland [Mrs. BENTLEY], who is going to talk about NAFTA.

NAFTA CREATES JOBS FOR LAWYERS

Mrs. BENTLEY. Mr. Speaker, tonight I am going to talk about how NAFTA will create jobs for lawyers. But before I do, I want to compliment the gentleman from Indiana [Mr. BURTON] and the gentleman from Florida [Mr. MCCOLLUM] for discussing the terrorist situation in the Sudan and how it is affecting us and what is happening throughout the world.

It is obvious to many Americans that—as a nation—we educate more

lawyers than any other nation in the world. One of the most productive manufacturing countries, Japan, educates 10 engineers for every lawyer graduated. The United States educates five lawyers for every engineer. That statistic helps explain much of the chronic balance of trade deficit we run with Japan every year.

Engineers produce value-added products creating wealth for a nation. An overproduction of lawyers—as we have experienced—seems to lead to growing amounts of litigation, overburdening our court system and drawing tremendous sums from our shrinking pool of manufacturing wealth. Economically, it has proven to be costly to an industrial nation and totally inexplicable to most of our international competitors.

One of the major problems I have with both the NAFTA and the GATT—which we will be considering after the NAFTA vote—is that the dispute resolution mechanisms proposed for both of these trade agreements, seem to be setting up a virtual paradise for international lawyers.

Not only are we creating new courts—above the U.S. court system, totally beyond the control of this Nation, but according to the way the agreements are drafted, almost any law or regulation of this Nation can be challenged as an impediment to the free flow of both goods and services across our borders and State boundaries and will be subject to a challenge from our foreign partners.

The challenge will be drafted by foreign lawyers, defended by our lawyers and whether we win or lose, the cost of all this litigation supposedly will be born by the taxpayers of both countries. Or will Uncle Sam be struck everytime with the bill?

In describing just how these dispute panels work, the General Accounting Office [GAO] in its Assessment of Major Issues in the NAFTA reports that the panels will operate “just like the courts which they replace.”

I am not a lawyer, but having been a good student of American history and civics—I don't understand how the power of the U.S. Courts to review U.S. law, and thereby interpret U.S. law, can be turned over to a binational body—or a trinational body, or, in the case of GATT, to a multinational court without a constitutional amendment.

I am amazed at the numbers of Congressmen, and conservative spokesmen, who are concerned about the constitutional threat if our troops are moved under the power of the United Nations, yet these protectors seem to be strangely mute about the power to interpret U.S. law and regulation being turned over to international bodies where our votes are outnumbered 3 to 2 in the NAFTA and more than 100 to 1 in the GATT.

If we think of those votes as a bonanza for international lawyers—a way

to enrich them—then perhaps we are finally seeing why the service economy is touted as a panacea for America's problems. Well, the NAFTA is turning out to be costly and I don't believe that the overworked American taxpayers should be paying the bill to enrich international lawyers.

The legal or judicial system set up in NAFTA is expensive, but the estimated dollar amount has not been projected into the current discussions about the agreement. The Washington Post did report that the administration is looking for \$2.69 billion to pay for the lost revenues from tariffs. Apparently, the administration cannot take this deficit from discretionary funds, but must find the shortfall in the mandatory entitlement programs—such as Social Security and User Fees.

In addition, the United States has pledged \$20 million for conservation of natural resources in Mexico, plus an additional \$8 billion for environmental cleanup. Although some of the funds for the environment might come from an international institution, never forget that the United States is paying the lion's share in most of the world institutions like the World Bank and the International Monetary Fund.

So, the American taxpayers ante up through those institutions and the funds will be passed through to pay for improvements for Mexico. I repeat—the problem with this is the American taxpayer is stuck with the bill.

This is not disinformation—nor is it playing on someone's fears as Ambassador Kantor claims. It is a case of simply giving a true bill—as much as is available—of the costs of NAFTA.

One of the hidden costs to our American businessmen not mentioned by any of our trade representatives or the proponents of this agreement is the possible fate of American businessmen who are working private agreements with a Mexican businessman.

A story in the Wall Street Journal is an eye-opener, but it is no surprise to me. I have had requests for help from families of people who are languishing in Mexican jails. If NAFTA goes through we will surely hear more stories like the ones in today's newspaper.

The Wall Street Journal reports a lurid story—“In Mexico, a Dispute Over a Business Deal May Land You in Jail” with a subtitle “Legal System Can Be Surreal; NAFTA and Recent Reform Won't Cure All the Ills”. The story is about four Federal policemen who confronted an American developer, Alex Argueta, of Tucson, AZ, and told him he had a problem with a car registered in his name. What the police really wanted was to discuss a dispute over a bank loan.

What happened to Mr. Argueta was that he was quickly placed behind bars—where he could hear a man being beaten in the next room. He was told he would be beaten, also, if he did not

answer some questions. Although he answered the questions, he still spent 16 months in a Mexican jail. Mr. Argueta was never convicted of a crime.

The Wall Street Journal points out that “Despite the enthusiasm over trade with Mexico, dozens of Americans are finding, as he did, that when a cross-border deal sours, they risk entering a labyrinth where their investments can be wiped out by bureaucratic blockades, mercurial magistrates or worse.”

Operating under Napoleonic law, the Mexican courts assume you are guilty until you are proven innocent. Under American law, you are innocent until proven guilty. This is an important point when we get into the operation of tri-national panels and former Mexican jurists sit on panels interpreting the meaning of United States law which becomes binding on American domestic law.

The paper further reports that attorneys in both countries “say that even if the North American Free-Trade Agreement takes effect, settlement of business disputes between private firms will remain a problem for companies investing in Mexico.” Julius Katz, NAFTA's chief negotiator for the Bush administration is quoted, “NAFTA doesn't deal with private-party-to-private party disputes” but with disputes arising over such NAFTA items as tariffs and intellectual property.

I was under the impression that NAFTA covered much more than just tariffs and intellectual property. There are sections on government procurement, investment, telecommunications, financial services, temporary entry for business persons, agriculture and sanitary and phytosanitary measures, et cetera.

In fact, what Mr. Katz is not explaining is that a Free-Trade Agreement is the first step in an economic integration of the three economies of Mexico, United States, and Canada. The North American Free-Trade is just the first step in this process—but it does not cover disputes between private parties.

The Wall Street Journal pointed out that Mr. Argueta's attorney warned “that the problem of illegal arrest procedures has been and remains a very important area of human-rights violations in Mexico. This despite the efforts of President Salinas to modernize the justice system.”

Jack Binns, the former U.S. Ambassador to Honduras was quoted in the article stating, “If you are in jail, you settle. It's the dispute-resolution mechanism.”

Settle is exactly what Mr. Argueta did. At the time, the bank was government owned, and he was charged with a crime against Mexico's patrimony. He was shuttled back and forth between seven judges—finally after 7 months the charges were dropped.

The conclusion of the case is perhaps an indication of what Americans doing business in Mexico have to look forward to. The Wall Street Journal reports that Mr. Argueta claims the bank is refusing to send him statements listing the principal and interest accumulated on his restructured loan which is due in 1994.

Now—this is an important point to remember—Mr. Argueta is concerned that if he does not get an accurate accounting that the bank may find he did not live up to his agreement and it will seize the title to his scenic Gulf of California property.

What is more chilling is the explanation of a lawyer for the bank as to why Mr. Argueta was seized and held in jail. The bank lawyer when questioned about the arrest on false pretenses explained "That is possible. That is how the attorney general manages things, not the bank."

The Wall Street Journal reported that the lawyer, Raul Cardenas added that Mr. Argueta was pardoned by the bank, and "to accept the pardon is to admit that he committed the crime."

The attorney general of Mexico claims his office has no file on the case. Mr. Argueta was accused of using his loan to pay people in California for the project although a bank officer had signed that he knew what the funds were for.

Still another case in the article involved a company, Tubular U.S.A., Inc., a Houston, TX, firm which sold 19 costly valves to Petroleo Mexicanos—better known as Pemex, the Mexican Government owned petroleum monopoly. Tubular sued Pemex in a Houston court when it did not receive a \$234,000 payment for four valves.

Although, Tubular proved that an employee of Pemex ran off with the money, Pemex argued successfully in U.S. court that it was protected under the Foreign Sovereign Immunities Act. This act shields foreign governments from a variety of suits. Although Pemex could operate and act like a business, in court it chose to operate under a government status including giving it immunity.

Another incident included in the Journal article involved Bill Flanigan and David Black, partners in Arriba Ltd. of Houston, TX. In 1984 they agreed to buy residual oil from a Pemex labor union. Although the Union, which had the right to sell a certain percentage of Pemex's oil—and had taken a cut of it—did not deliver the oil. The Wall Street Journal reports that although Arriba Ltd. won two default judgments with treble damages and interest totaling \$450 million, the Union still refused to pay.

Bill Flanigan and David Black reacted as enterprising Americans and confiscated any union assets located north of the Rio Grande. They seized a variety of things including a Boeing 757

jet, which turned out to belong to the President of Mexico, which they returned.

At one point the Union agreed to pay Arriba Ltd's legal fees and make oil deliveries. Well, the legal fees were paid, a big party was held, but the oil was never delivered. Pemex, too, chose to use the Foreign Sovereign Immunities Act. To-date, after 8 years of legal difficulties, Arriba Ltd. has collected \$1 million on their \$450 million judgment.

Another area causing problems for Americans is the vacation-home industry. Dorothy Bringe, a Chicago personnel consultant lost her investment in a condominium in Cancun. Because of the peculiarities of Mexican law, she lost \$40,000 when the government-bank trust which owned the land ran into difficulties. After much maneuvering, Mrs. Bringe is still out of her money. What she did say about NAFTA is important, she said, "it worries me that no one has addressed the issue of small businessmen getting burned."

Another American, Peter Florance found out first hand how outrageous the Mexican legal system is. His company Buffalo Forge SA., was a Mexican industrial-machinery affiliate of Ampco-Pittsburgh Corp.

Just like any American, he was concerned when his job was being cut due to restructuring. According to the Wall Street Journal, he asked for \$250,000 which was due under the Mexican severance-pay laws. Instead he ended up in prison.

The end of the story is Mr. Florance spent time in jail and had to sign a document that he had abused the trust of his employer, although it was not so.

He did not receive his severance pay—but he does have a thorough knowledge of the Mexican jails. Mr. Florance, who now lives in Phoenix says about the Mexican legal system that "It is probably the most corrupt system in the world I know."

The lawyers should be getting rich with the new courts—excuse me—dispute resolution panels set up under the NAFTA, combined with the Mexican legal system that many Americans will be working with in private disputes. According to yesterday's Roll Call newspaper, there is excitement with the great opportunities of a huge market of 90 million people hungry for U.S. goods.

There are too many questions that are unanswered—but there is one thing that is clear. With NAFTA we will have increased service sector employment with a new demand for more international lawyers—to represent the plaintiff and defendant countries before the dispute panels—to represent U.S. businessmen running afoul of foreign domestic laws and new business partners who do not have to perform on any U.S.-drafted contract.

It is remarkable to me that the powerful proponents of NAFTA, are willing

to bypass the U.S. courts. Some members of the Congress and the Executive seem willing to pass off both their own power and that of the constitutional power of the U.S. judiciary over to foreign representatives.

At the same time, no effort is being made to secure and guarantee the protection of this Nation's law to its business people, as they are being encouraged to move investments offshore.

Before any howls of criticism are raised that the United States cannot make any restructuring demands on these governments as we go toward economic integration of our economies, be aware that the European Community demanded that Greece rid themselves of a military dictatorship before they were accepted by the EC.

It is not arrogance to acknowledge that as flawed as our Government sometimes appears, for most of the world, our Republic-Democracy is the model. We have committed our wealth and, sometimes our men and women, to spreading the message of the equality of justice promised under our form of government to the far corners of the Earth.

And yet, we seem to be accepting that one of our nearest neighbors and possibly, closest economics partners, can—with total disregard of American standards of justice and fairness—take advantage of U.S. citizens and, in some cases, seize their assets.

It is amazing that as Mexico spends millions trying to lobby the NAFTA through this body that the Mexican national leadership is so arrogant and insensitive to American values and public opinion, that while the NAFTA is being debated, such police-state treatment is being visited among Americans currently doing business in Mexico.

If this is good behavior—as the Mexicans seek our support for this agreement—what can we expect once it is a done deal? We will never, at any point, have more leverage than we now have to demand a clean-up of the Mexican system of justice. It is necessary to protect our people, it is necessary to help the average citizen of Mexico whose access to fair courts and equal justice is only as great as his pockets are deep.

The only hopeful sign in any of these foreign trade treaties is that the many possibilities for challenges and suits across international lines is such that we maybe able to begin exporting our oversupply of international lawyers to the rest of the world.

□ 2050

Madam Speaker, before I yield back the balance of my time, I want to point out that another chapter on NAFTA is going to be discussed by a very able Congresswoman, the gentlewoman from Ohio [MARCY KAPTUR], who has been a leader on this matter, and I have been very, very pleased and proud

to be working with her on this very vital issue concerning this country.

NAFTA: A BAD DEAL FOR THE UNITED STATES

The SPEAKER pro tempore (Mrs. MALONEY). Under a previous order of the House, the gentlewoman from Ohio [Ms. KAPTUR] is recognized for 60 minutes.

Ms. KAPTUR. Madam Speaker, I wanted to compliment the gentlewoman from Maryland, HELEN BENTLEY, for not only her excellent remarks this evening and the type of original research that has characterized her career but for her absolutely stalwart opposition to this current NAFTA accord.

I thank her for being vigilant on this every single day that she has been here and thank the people of Maryland for having the wisdom to send her here to the Congress of the United States.

It is a pleasure to work with her on behalf of the American people.

Madam Speaker, tonight we are joined here at the request of our majority whip, the gentleman from Michigan [Mr. BONIOR], along with the gentleman from Michigan [Mr. STUPAK], and the gentleman from Ohio [Mr. BROWN], and opponents of this current NAFTA accord. We are here to take some time this evening to explain some facts to the American people as they are listening in the quietude of their homes. We appreciate their attention because no more important economic issue could come before us this year in the Congress than in fact this proposed NAFTA, [North American Free-Trade Agreement]—and I hate to call it “free” trade because there is a tremendous cost.

In fact, tonight, Madam Speaker, we are going to highlight some of the costs that our taxpayers will be asked to pay for in fact this agreement goes through. But before I do that and the gentlemen join with me, I wanted to respond to an article in the New York Times today about President Clinton and some of the efforts being made in Washington by the business elite of our country to sell this accord to the American people. I think it is so very interesting because they are going to be bringing in all the living former Secretaries of State to come to Washington to try to convince the Members of Congress that in fact this is a good agreement.

Well, you know, the interesting thing about bringing in Secretaries of State, if you know anything about trade policy, that is the last department of the Government of the United States of America that knows anything about trade policy. In fact, it is our very own State Department that has sold American working men and working women down the river for the last 30 years.

So I find it so interesting that some of the very people who have been in-

involved in the sellout of the economic base of this country are now going to try to come up here and explain to those of us who represent communities in America that have been hollowed out exactly why they did that and why it was so very good for us, when we know it was exactly the opposite.

If you look at the numbers from 1820, well over 100 years ago, to the present, tariffs in this country have literally come down to where they are almost nonexistent as compared to other countries in the world.

So the United States is not a high-tariff nation. In fact, we are the freest trading nation in the world.

At the same time, though, high tariffs have come down until about 1970, when something very strange happened—it had not happened in this century, only in the last century—the United States began in the early 1970's to accumulate huge trade deficits with our trading competitors around the world. And it is not any secret, if you go to the store today and you buy a blouse or you go into the store for even food or go to try to buy a car, chances are probably 30 percent of the time or maybe more than that item will not be made in the United States. You do not have to be a genius to figure that out. Most of that change has come within the last 20 years when tariffs came down to almost nothing and trade policy was not shaped to meet the economic realities of what that meant.

So, with every major trading bloc in the world, our Nation now has a trade deficit. Certainly with Japan.

We have been hemorrhaging now for over a decade. The American people know it. We have tried to get a level playing field with Japan. We cannot get into that market; prices are three times as high there as for goods manufactured here. It is really a closed market. These very same people that they are talking about bringing into Washington are the ones who stood watch and let it happen to our country and to our people.

So I will be very anxious to welcome them here to the Congress of the United States and to ask them why is it that in the last year of the paltry million jobs created in this country, in what categories have they been? They have been in three categories: temporary workers; that does not surprise any person listening this evening who is out there holding down two or three jobs to try to keep their family fed, roof over the head, and maybe buy health insurance.

How about the field of health care? We know many of those people in those jobs are working for minimum wage. Or the final category of job creation has been in restaurant work. Now, I respect people who work in all of those fields. However, those are not the highest paying jobs that we can produce in

this economy. It is no surprise that America is now 16th in the world in terms of what our people are being paid for the work that they do.

So something fundamentally has changed over the last 20 years in the United States of America, and though it is known on every main street in the United States, why has it taken such a long time for that knowledge to seep into these hallowed halls of Congress, and in fact within the fence of the White House itself?

Now, the other interesting, tragic thing that has happened, we have lost millions of manufacturing jobs and jobs in agriculture in this country, during this same period of time.

If you talk to any farmer in this country, they know that prices have not gone up. In fact, the export markets have been flat. More imports have been coming in from other countries in terms of food shipped into this country.

So they are not benefitting from what has happened over the last 20 years.

In manufacturing in America, we have lost millions and millions and millions of jobs. That is the reality that the American people are living with every day. Now, I find it interesting that at the same time the people who stood watch and let this happen, we read on in this article and it says that the proponents of NAFTA say that if the United States does not sign this agreement, by golly, Japan is going to move in and displace us in the Mexican market.

Well, Japan is a pretty good trader. In fact, they beat us at the negotiating table many times over. If Mexico is such a good deal, I believe they would have already taken it.

If you look at the numbers, Mexico has a trade deficit with Japan already. The only reason the limited Japanese investment that is in Mexico now is there is for one purpose: to manufacture and ship right in here to the United States. That is why Nissan is poised at the border down there, that is why the Sony television plant, which I went through 3 years ago, manufacturers those big televisions, every single one of those is destined for one market: right here, in the good ole U.S.A.

I ask why should not those televisions be made here? If they want to ship them into our market, why put that production somewhere else in the world?

So I do not buy the argument that if the United States wants to reshape this agreement and have a different partnership with the nations of Latin America, that if we do that we will somehow disadvantage ourselves, because I think that with the low wages there, the standard of living, most of the other trading nations of the world have taken a look at it and they know the low level of per capita income in

Mexico as well as many of the other Latin American nations and they know it would be extremely difficult to have a trade agreement that would advantage high-wage nations.

One of the other points that is made in this article, the President of the United States said, "You know, we really shouldn't be worried about more U.S. jobs relocating to Mexico. Why? Because these jobs could go anywhere where there are low wages." Well, they could go to, well, Haiti. All of these jobs could have gone to Haiti. The only difficulty, I might say with all due respect, is that Haiti is more than 15 minutes from the United States border. And it is much easier to manufacture in Tijuana, much easier to manufacture in Matamoros or Renjosa or Ciudad Juarez or many of these cities just south of our border, Juarez; do it at a very low wage rate and then just send it in trucks up to the United States. That is what this agreement is all about.

So I do not agree that the jobs will be put out to these other nations. In fact, some of them have been, but not really very many. There are over 2,200 companies that are currently doing business south of our border that used to do business here, create jobs in the United States, and they basically just put production down there and then with a bug U-turn send that production back here into the United States. It is not the development of a real new market for our products.

□ 2100

Now, tonight we are going to talk a little bit not just about the fact that we are losing our jobs and our job base, and we have a city here in Washington where people really have not understood the change; but now they are asking the taxpayers of the country to pay for this accord.

And what are they asking for? Well, first of all in the news last week was a new type of financing facility that they are calling the North American Development Bank, the NAD Bank. It is not really a bank. It is a financing facility because of some clever language that was put in the bill.

But what does it ask? It asks you, the taxpayer, to take \$225 million out of general revenues, to put in the first paid-in capital to this institution, to this facility, and then with some additional paid-in capital they say will come from Mexico, but we have not figured out how, since they have \$106 billion callable. They have a debt right now they owe to the big banks since the World Bank where they are going to get their share.

But anyway, somehow this money is supposed to go in there, and then we are going to bond up to a level of \$20 billion.

So my question to the administration and to the authors of this bill is,

where are you going to get the \$225 million, and where are you going to get the money to pay the interest on bonds that you claim will be bonded up to a level of \$20 billion? It will not be cheap.

And what period will those bonds be paid over? Are those 20-year bonds? Are those 30-year bonds? Are they special zero coupon bonds? Could you tell us a little bit more about where we are supposed to get the money to pay for this bank?

Now, you saw that there was a big debate here last week. The administration proposed that because of these additional tariffs coming down, and there are very few remaining with Mexico, about the 5- or 10-percent tariff that remains, there will be a loss of the U.S. Treasury of \$2.5 billion currently flowing into our Treasury because of tariffs on two-way trade between the United States and Mexico.

Now, that will be gone. So how are we going to make up the revenue for these lost tariffs?

Now, the administration has to offset that loss. They have got to do it by finding new taxes or spending cuts.

And what have they offered? Well, they tried to propose a doubling of the international airline and ship passenger tax. You can imagine how happy that made the airlines. We got a few phone calls here in Washington about a week ago on that score. They talked about doubling the customs fees for commercial vehicles and trucks. That does not make our trucking industry very happy.

They have talked about doubling the customs fees for trains.

They have also talked about cutting Civil Service retirement benefits, and there was a proposal in the Agriculture Committee to cut the Mickey Leland Childhood Hunger Relief Act.

Now, is that not interesting? In fact, we are trying to figure out how to pay for this bad deal by taxing our own people or cutting the limited dollars that we have to spend on domestic programs.

Now, the latest proposal out of the administration is a package of tax increases, spending cuts and accounting maneuvers that the Wall Street Journal calls budgeting gimmicks. Here are the latest ones.

They want to raise the international passenger tax by 30 percent and impose a new tax on travel from Canada to Mexico. They thing they are going to get \$1.1 billion out of that.

They want to cut farm subsidies. I would like to know which farm subsidies they are going to cut, \$182 million there.

They want to shift bank transmittal of employers' tax payments to the IRS up by one day, providing a revenue gain on paper—that is one of those phony budgeting accounting gimmicks they use—of \$1.4 billion they say they will gain there—and they will allow the

IRS to share data with Customs, providing a projected revenue gain there of \$140 million.

All of this is just the beginning, and we know NAFTA will cost much, much more.

I know my colleagues this evening want to add some information to this, but I think when you really start prying open this box of what it is going to cost us, it is really a phenomenal figure which neither this administration nor the past administration chose to address in the body of the agreement itself.

Madam Speaker, I yield now to the gentleman from Michigan, Mr. BART STUPAK, who has been such a hard fighter on this, and thank the people of Michigan for sending him here. What a good choice.

Mr. STUPAK. Madam Speaker, I thank the gentlewoman for yielding to me.

It certainly is a great opportunity again to be here tonight to help educate our colleagues and the American people on why NAFTA is such a bad deal for us.

Tonight I would like to discuss an aspect of NAFTA that has not been talked about, although it directly affects Michigan, Ohio, Pennsylvania, and all the Great Lakes States. I want to talk about a report that I just received that says, "Down the NAFTA Drain, Michigan Jobs in Great Lakes Waters."

When I read this report that just came into my office by the Employment Research Michigan Clean Water Fund, I found some real interesting things. So I went through the NAFTA agreement, the volumes that we have, to double check some of the statements they made in here. It was quite an eye-opener for me on how it would affect Great Lakes water.

There has been a lot of debate about the merits of NAFTA, and the gentlewoman hit many of them here tonight. There has been almost no discussion in the United States of NAFTA's possible effect of transferring Great Lakes water to Mexico.

This is not the case in Canada. We know there has been a lot of debate in Canada and Canada has already approved NAFTA, but in Canada there was a real rage, if you will, over water and what the NAFTA agreement would do to Great Lakes water. Of course, Canada is on our border there, on our northern border and shares the Great Lakes with us.

But really what NAFTA does is it sets the stage for a large-scale export of Great Lakes water to Mexico.

NAFTA could divert our Great Lakes water because NAFTA fundamentally undermines the existing protections against diversion and the export of Great Lakes water which currently exists.

Michigan, of course, the area I represent, northern Michigan, I am surrounded by three of the Great Lakes.

For over a decade the leaders of Michigan and the Great Lakes States have been united in a bipartisan effort to prevent the artificial transfer of Great Lakes waters.

Governor Milliken back in the seventies convened a regional summit on Mackinaw Island in 1982 to address this problem. Governor Blanchard and Governor Engler followed Governor Milliken and they went on down the line joining a bipartisan effort to control the diversion of Great Lakes waters.

Since 1980, midwestern leaders along with Canada have signed a regional Great Lakes charter and agreement among the Governors and the Canadian Premier to limit diversion of Great Lakes waters.

There was enacted in Congress the U.S. Water Resources Act of 1986 which gives the Governors of eight of the Great Lakes States the right to veto any proposed diversion of Great Lakes waters.

They also rejected a few years ago a significant proposed increase in the existing Chicago diversion of Great Lakes waters in 1988 when the Governor of Illinois then proposed sending more water down through the Chicago River and through the Chicago diversion authority.

The citizens of the Great Lakes have supported the concept that Great Lakes waters must remain in the Great Lakes. In fact, some recent statistics have shown that 80 percent oppose any type of diversion of Great Lakes waters.

The Great Lakes is and remains one of our region's and one of our country's greatest resources.

These agreements that we have made, the Great Lakes States with Canada, have been necessary to protect our waters from diversion, not just out through Chicago, but also as we hear periodically from our Southwestern States; but now Michigan's current Governor supports NAFTA.

Does that mean then that he supports the diversion of water out of the Great Lakes?

The most important point about NAFTA is that it promotes free trade in our natural resources by limiting, it limits the rights of Government to enact measures restricting trade.

If you go to chapter 3 of the NAFTA agreement, it sets out blanket prohibitions against Government regulations of natural resource trade. No Government is permitted to regulate or to prohibit the flow of natural resources, including water. We are prohibited from protecting our own water.

Specifically, article 309 of NAFTA reads:

Parties may not adopt or maintain any prohibition or restriction on the importation of any good of another party or the exportation of any good destined for another country.

There is no clause in NAFTA, and I challenge anyone to go through it, there is no clause in NAFTA which exempts water exports from these provisions. In fact, water is subject to the same requirements of goods as other goods described in article 309.

Water is listed as an item in NAFTA. Under 22.01 in the NAFTA tariff heading as water is including natural or artificial mineral waters or aerated waters not containing added sugar or sweetening material nor flavored ice or snow.

This means Great Lakes waters. In other words, all water that does not have sugar or artificial sweetener or ice or snow can be exported under NAFTA. NAFTA could permit foreign corporations to demand access to our natural water resources.

□ 2110

Therefore, Madam Speaker, this is no longer Great Lakes water, but, without any restrictions or tariffs, Great Lakes water becomes the natural water of Canada, the United States and Mexico.

Several other features of the NAFTA agreement could directly influence existing protections against water diversion. Some of these are article 302 of NAFTA requires that parties cannot increase or develop new duties on items, including resources. So, we cannot increase or develop new protections for Great Lakes water under NAFTA. Article 315 limits the rights of the parties to restrict trade through duties, taxes or other changes. All of this applies to our Great Lakes water.

In the simplest terms, Madam Speaker, the trade agreement articulates the rules of trade that will restrict the ability of our country and of our States to regulate the export or diversion of our water resources. NAFTA will facilitate trade by water by making it virtually impossible under a toothless disputes resolution process much like our friend, the gentlewoman from Maryland [Mrs. BENTLEY], indicated about the resolution process. It is a toothless process, and, therefore, there would be no way to protect our water supplies.

Is diversion a possibility? As my colleagues know, it certainly is. It is already happening legally and on a small scale. I said earlier we divert water through the Chicago River diversion project, and it could easily happen on a larger scale. The southwestern States have repeatedly demanded Great Lakes fresh water for their own use. Why would Mexico not make the same demand upon us?

I say to my colleagues, You don't need a grand pipeline or huge engineering projects because we have currently the Chicago diversion authority which diverts 3,200 cubic feet of Great Lakes water per second, and the Army Corps of Engineers has calculated that the Chicago diversion system could accommodate 8,700 cubic feet per second, if

necessary. So, in a limited amount of time such an increase could lower lake levels in Lake Michigan and Lake Huron about half a foot. Should the Government of Mexico lay claim to our Great Lakes water, increased diversion through Chicago would take Great Lakes water into the confluence of the Mississippi and Ohio Rivers where it would meet up with engineering projects designed to take the water over the border. Mexico will certainly be likely to increase its demand for fresh water.

The gentlewoman from Ohio [Ms. KAPTUR] was down there. One of every four Mexicans lack access to pure water, and 55 percent of all the water available in Mexico is being used for urban, industrial, and agricultural purposes. Mexico is ripe to become a net importer of Great Lakes water.

So, what would this do to Michigan and the Great Lakes States if they said, "It's a natural resource, as defined under NAFTA. You can't put up any restrictions. Therefore we want you to flow it through the existing authority you have in Chicago and into the confluence of the Ohio and Mississippi Rivers?" Well, in the Great Lakes lower water levels can cause significant problems with drinking water intakes. Many of the cities I represent in northern Michigan get their water from the Great Lakes because it is still pure quality drinking water. Lower water levels would also affect our hydroelectric power production, our production of hydroelectric power. Lowered water levels could dramatically affect the navigation on the Great Lakes and, of course, eventually the Hudson Bay. Lower water levels can damage valuable coastal wetlands of the Great Lakes, affect our aquatic life, fish, and wildlife.

Madam Speaker, and my friends, and those listening to us at home tonight, the majority of the people of the Great Lakes States are unaware that any of this could happen under NAFTA. Many of us who have been opposed to NAFTA realized it, asked for some experts to look into it, present a report, like they have, to our offices. Much of the same, much of the same people, are unaware of the agreement, much like the gentlewoman from Ohio [Ms. KAPTUR] spoke about tonight, about \$50 billion, \$50 billion just to implement this agreement would come out of their pockets. I hope that the people who live and depend on the Great Lakes and who enjoy the water and enjoy the lakes for recreational, and tourism and for their living are listening tonight. This agreement, this NAFTA agreement, is full of dead ends, back alleys and will lead to a \$50 billion foreign aid package to the Salinas government, all topped off with a cool glass of water from the Great Lakes.

So, Madam Speaker, again I come to the floor tonight, like we have for the

last number of weeks, to urge our colleagues to say no to this NAFTA agreement, and to study it and ask questions. Of course they cannot divert our water, but when my colleagues read the NAFTA agreement, and the definition of natural resources and the lack of protection we, as States or regions of the country would have to protect our water resources, it can, and, believe me, it will.

Ms. KAPTUR. As my colleague knows, I continue to be impressed with the gentleman's research surrounding this proposed agreement, and I had not focused on that particular item myself. The gentleman is correct in having traveled through Mexico and seeing the limited amount of water available to people, first in the border areas where water is very scarce, and the collection system is very rudimentary, and then going into Mexico City and around Guadalajara where lakes are literally being drained, and they are worried about where they are going to get their water from. And take a look at how so many of our natural resources, whether it is timber or whatever, are shipped down and turned into finished goods, and, looking at how many of our food processing facilities are moving down there, I think that the issue the gentleman raises is an exceedingly important one, and also, if we wish to object to water being on the table at all, he says it is right in the agreement. The convoluted procedure that we would have to go through in the dispute settlement section of the agreement would mean that we would be tied up with attorneys for years.

If we wish to lay claim to our own water, as the gentlewoman from Maryland [Mrs. BENTLEY] mentioned it a little earlier in the evening, the process by which we will have to take that case to the supranational body and then wait for experts to decide for us would literally preclude the people of Michigan from speaking out on their own behalf, and in fact their fate and the fate of our lakes would be in the hands of the Government of the United States in this national superbody that would be created, and the gentleman has brought an extremely important issue to the table and one that I hope will be explored more as we move forward.

Mr. STUPAK. If the gentleman would yield for a moment, again it is article 309 of the NAFTA agreement. I urge my colleagues who may be listening tonight to take a look at that and especially water being listed as item 22.01 in the NAFTA tariff heading. Obviously someone thought this through and knew what they were doing. Otherwise why would they even put it in the agreement?

I cannot stand here in this body tonight and swear that they are going to be diverting water the day after NAFTA is passed. Hopefully it does not pass, but it is another issue that must

be explored. I think it is another issue which again demonstrates how hastily this agreement was put together to benefit so few while hurting the rest of us, including our natural resources.

Ms. KAPTUR. As the gentleman knows, one of the points I did want to mention also, I referenced earlier this NAD Bank, the North American Development Bank, and, if one reads the legislation that is proposed, and they see who is eligible for the funds, most of the dollars that would be available through our taxpayers putting into this bank and then the bonding authority that goes with it would do very little to clean up the environmental mess in our region of the country that has been left by industrial development that was not supervised in both the United States and Canada. We have 43 toxic hotspots on the Great Lakes which we have been trying to clean up over the years, many tributaries and streams flowing into them that we are trying to clean up, and I find it very offensive as a Representative from a midwestern State asking our people's tax dollars to go into these efforts by the Federal Government to then support development in Mexico before we take care of the problems we have in our own region, and then to put on top of that what the gentleman is saying, that in act there is a threat to our water, which we have been concerned about for many, many years now, even makes it more imperative that we defeat this particular NAFTA accord, and I thank the gentleman from Michigan [Mr. STUPAK] for being with us this evening.

□ 2120

Congressman BROWN of Ohio I know wanted to add some remarks. A real leader, and someone who has been vigilant, and I could say somewhat of a pit bull on this issue. And it is good to have some pit bulls down here, because we certainly have too many people who are faint in their support of any issue here in Congress. And to find someone who really follows through with his convictions is very encouraging to me.

So welcome this evening. We thank you for being with us.

Mr. BROWN of Ohio. Thank you for yielding, and thank you. You have been on this issue a lot longer than the gentleman from Michigan [Mr. STUPAK] and I put together. So thank you for your work over the years on the whole fast track, the whole free-trade agreement with Mexico and Canada issue.

The gentleman from Michigan [Mr. STUPAK] and others have given a whole host of public policy reasons that NAFTA is a bad idea, everything from Great Lakes water, which affects certainly the three of us here, but also issues such as food safety, truck safety, jobs, environment, all of those issues that clearly put us as a Nation—and, frankly, Mexican workers too as a peo-

ple—at a distinct disadvantage if this agreement goes through.

One issue that is gaining more and more attention, and is overriding in a sense many of these other issues, is simply the issue of cost. As you know, NAFTA is a \$50 billion new Government program. The proponents play this NAFTA math with their NAFTA tax issue, the proponents will say it is a \$2.5 billion program because the agreement requires under the budget resolution, under the basic rules of budgeting in the House of Representatives, the agreement says that we only have to come up with \$2.5 billion in revenues to pay for NAFTA.

What they are talking about is the \$2.5 billion in foregone tariff revenues that we will lose at the border over the next few years with NAFTA because we have taken the trade barriers, if you will, the tariffs down. So we lose \$2.5 billion. Under budget rules of the House of Representatives we have to make that \$2.5 billion up.

What they will not tell us, what they do not want to deal with, what the people for NAFTA are not even willing to talk about, is the \$10 billion the Governor of Texas will ask for infrastructure building in that State to prepare for the onslaught of NAFTA; the several billion dollars that the Governors of Arizona and New Mexico will ask for; the probably \$10 or \$15 billion that the Governor of California will ask for, the money to clean up environmental problems along the Texas-Mexican border, the Arizona-, the New Mexico-, and the California-Mexican border. The highest cancer rates in America are among young children along the Rio Grande in Texas and the poorest parts of Texas there. The money we would spend under NAFTA to clean those areas up.

They are unwilling to talk about the money it would cost for job retraining, the hundreds of millions, probably billions of dollars, to retrain workers that lost their jobs because of NAFTA. Because even money that the proponents have said we need for job retraining, they are implicitly or explicitly saying yes, there is going to be job loss or dislocation, and we need to come up with money for that. Not to mention money for welfare and schools in communities where plants close down and move to Mexico. Not to mention money for more people in Customs along the border to monitor and check and search the trucks going back and forth, all the commerce going back and forth across the border, having to check for more potential drug activity because the more vehicles that cross the border going north into the United States, the more chance there is that there will be some illegal drug activity, as there is now across the border.

All of those costs add up to a \$50 billion new program. They do not want to talk about it. All they are willing to

talk about, the people who are for NAFTA, is we only need \$2.5 billion. Even with that, here is the kind of things they are asking for. They want to double the international airline and ship passenger tax. That does not affect a lot of Americans, but it affects people. It affects the prices of things that are going back and forth.

Doubling the customs fee for commercial vehicles and trucks. Doubling the customs fees for trains. Cutting civil service retirement benefits, which affects large numbers of people. Cutting the Mickey Leland Childhood Hunger Relief Program. Why we would cut that kind of program to fund something like the free-trade agreement is beyond my understanding.

And it goes on and on and on with other cuts, other taxes, and at the same time they are only talking about \$2.5 billion, instead of the whole \$50 billion program.

How are they going to come up with that money? They are denying it even exists, that the need will exist. And it is fairly typical, again, of this NAFTA math that they have engaged in to try to get people's attention off the real costs of this program.

The other issue I wanted to briefly mention, if I could, is an issue that more and more is brought up, and I would just like to have, if you are willing, kind of a conversation about that.

More and more, the one thing that seems to work in this institution when you do not have the facts on your side on any kind of an economic issue, you just bash Japan. If you cannot come up with an answer, you just bash Japan. And that is sort of what the pro-NAFTA people are doing now.

They are saying the Japanese are sitting on their perches like vultures, waiting to fly into Mexico if we defeat NAFTA, because Salinas would love to do business with the Japanese. The Japanese will come in and do their free-trade agreement with Mexico, and they will take advantage of it, and then the Japanese will have this whole market.

The fact is, the Japanese want NAFTA to pass, because the Japanese, they do not care about Mexico as a market, because Mexico is far away from them. People in Mexico do not have the money to buy Japanese goods. They cannot buy computers. They cannot buy electronic equipment. They cannot buy records. They cannot buy CD players. They cannot buy cars, because there is no middle class to speak of in Mexico.

The Japanese do not want Mexico as a market. They want Mexico as an export platform to make goods cheaply, to avoid environmental regulations, to pay low wages, to avoid job safety requirements that they have in their own country, to avoid child labor laws that they have in their own country, build these things in Mexico, bring their sup-

pliers in for Honda and Toyota and all of the various kinds of plants, manufacturing plants, that the Japanese have in East Asia now, bring those into Mexico, assemble everything more cheaply, manufacture it and have their suppliers there, and use that as an export platform to come into the United States and sell under price here. They do not have any tariffs if they do that.

So if NAFTA passes, then the Japanese and the South Koreans come to Mexico, I will say it one more time, come to Mexico, and they can very inexpensively build all kinds of products in Mexico, sell them into the United States, and basically undercut American manufacturers.

They do not have any tariff which they would have to pay, unlike when they sell through the Port of Los Angeles or through Seattle or San Francisco or any way they come into the country nowadays.

NAFTA is a bad deal in a lot of ways. It is a bad deal because it is a \$50 billion new Government program. It is also a bad deal because it is going to allow the Japanese to backdoor into this country and beat us on all kinds of products that we are finally competing well with the Japanese now, because we build cars that are better than the Japanese. We do a lot of things again better than the Japanese. And we are giving them an advantage that they have no right to have, and we are giving them an advantage that is simply just putting us under, and there is just no sense in doing it.

Ms. KAPTUR. You know, I am so glad that the gentleman brought up the point, because I think one of the most frustrating parts of this entire NAFTA exercise is that the entire executive branch of our Government is consumed with this deal. It is a flawed agreement. It was not negotiated properly in the first place.

But at the same time, as you see the President hosting these export shows on the White House lawn and executives of the United States flying in to the White House, and secretaries of state being brought to Washington, et cetera, at the same time, Japan is eating our lunch.

We are out of focus on where we need to be moving in terms of trade policy. The gentleman is absolutely correct, Japan, they are extremely competent in terms of international trade. They are poised already. The facilities are there in Mexico. Not to really sell to the Mexican people, because they do not earn enough to buy those big televisions that I saw being manufactured at Sony, or they do not have enough funds to buy the automobiles that Nissan will manufacture. But all that will be sent to the United States.

But it is troubling to me that the trade talks that we have tried for now since 1985 with Japan to get a focus on by the President of the United States,

has completely fallen off the table as we are spending all this time to put together this sort of an agreement which has all these problems, and we are hemorrhaging again with Japan in terms of more imports coming into our country than our exports going over there.

Mr. BROWN of Ohio. If the gentle lady will yield, in addition to the kind of lobbying that corporate America is doing, we have heard on this floor so many times the Mexican Government has spent \$30 billion, \$30 billion, to lobby this Congress to pass NAFTA. Never in history has a country spent that kind of money to lobby the elected officials in another country. At the same time, USA NAFTA, a group of the largest American corporations, companies where top management and major stockholders will in fact benefit from NAFTA, at the expense of the rest of us, they are lobbying hard.

□ 2130

They are calling people in their districts. They are corporate people that are coming here all the time, the people from the largest corporations in America are coming here lobbying every day, talking to all of us, even talking to Members like the gentlewoman from Ohio [Ms. KAPTUR] and me, who are against this agreement. They are pulling out every stop.

The other thing that is happening in this agreement, in the lobbying efforts for this agreement, is not just corporations spending huge amounts of money putting ads on TV, not just the Mexican Government hiring all kinds of people all over the country, all kinds of lobbyists to try to convince all of us to vote for NAFTA, the other thing they are doing is they are finding all kinds of little ways to convince Members of Congress to vote for this.

I will make you a deal here on the citrus problem for South Florida, maybe we will do a little favor for citrus, if you agree to vote for NAFTA.

A new one they have done, which is real interesting, is they have really loaded this whole thing up with pork. This agreement now has all kinds of little things that American taxpayers are going to pay for. I mentioned the \$50 billion. Included in that are one in particular that is real interesting which is \$10 million for a little university in Texas or a little college. It is a \$10 million school that they are going to call a trade center. And this world trade center, NAFTA trade center, is going to be a school to teach all of us and to study more about how trade is affecting us as a nation, how trade between Mexico and the United States is playing, what it means to us, how to prepare for it, all these kinds of things, things that the private sector is now doing, that our great university system in this country is doing both private and public.

It is basically a payoff to some people in Texas. I do not know who exactly, but people in Texas, give them something to get some more Texas Members of Congress to vote for this. That is happening all over the country; \$10 million for a world trade school, that is the kind of thing they are loading up with this pork. That is one reason it adds up to \$50 billion.

There are things in this that we are not even going to know about, because the deals will be cut somewhere else. While we are debating this issue, some Members of Congress are being offered, not personally for their own benefit, I do not mean anything sleazy, but things for their district. "We will give you this, if you vote with us." It is unseemly. It is the kind of thing that when the proponents of NAFTA get desperate, they try anything.

They are behind. They are behind because the American people are outraged about this. The passion on the side of the opposition, as you know from your travels around Ohio and this country, people are against it. People do not like it. People know it is a bad deal. It does not smell good. People know we have to defeat it. That is why we get so many letters and why we are winning this issue.

Ms. KAPTUR. I think what is really so sad is that when you have an issue that is of such consequence to the continent, that whether it is Lee Iacocca, whose largest personal asset is his shares in Chrysler Corp. and, therefore, his interests are clear and he would sell the continent down the tubes for his own personal financial gain, or whether it is a project in Texas or whether it is some deal they are trying to cut with citrus or with steel or with sugar or whatever it might be, I think what is really disheartening is that we want to do what is right for the people of the continent, for the next century. People who are involved in that kind of horse trading and pork are looking at through such a very narrow lens. What might be good in one narrow instance, not what is good for all.

Mr. BROWN of Ohio. To do what is right is to do some things in this trade agreement that would uplift both countries. I do not think any of us, the gentleman from Michigan [Mr. STUPAK], the gentleman from New Hampshire [Mr. SWETT], sitting here, he has talked about this issue from time to time, you, as a leader in this, all of us have talked about how we do not like this agreement, but there could be a good agreement with Mexico that we could craft.

The proponents in this debate have never really played hardball except trying to get votes in Congress, never played hardball to get a good agreement.

A friend of mine last night, in Elyria, a fellow by the name of Ken Rothgery, suggested to me, "Why don't you sug-

gest in this agreement that perhaps any American company that goes to Mexico, all they have to do is pay the American minimum wage, that is the only requirement you put on them. If they are going to go down there, pay the American minimum wage of \$4 an hour." It would mean fewer of them would go, but it would also mean that it would raise the standard of living there. Other Mexican companies would have to begin to pay more. And we would end up creating a middle class in Mexico over time that could, in fact, turn around and buy things from New Hampshire and Ohio. That is what we need to do, find a way in this agreement, long term, to do what is best for everybody instead of best for this very narrow slice of the American elite society or the Mexican elite society.

Ms. KAPTUR. The gentleman raises a good point, particularly in the area of the export sector, that type of proposal would make so much sense where we could actually begin to develop a real middle class in Mexico where people could purchase goods, whether those goods are made in Mexico or made here.

What was interesting, I listened to President Salinas of Mexico on the television the other night. I listened very carefully when he talked about wages, because the interviewer, David Frost, asked him, what about wages going up in Mexico. And the president of Mexico said, well, I have this proposal to tie wages to productivity, which sounds very good at first blush, but then when you look, No. 1, it is not in the body of the agreement. And No. 2, even if you try to tie wages to productivity, Mexican wages are so low, if the people down there work their hearts out and double their productivity, their wages might go up to \$2.50 an hour and so if you really think about the numbers and you talk about NAFTA math, trying to lie with NAFTA math, you can see that those are just fancy words. But people really do not want to change the way that they are doing business.

Madam Speaker, I yield to the gentleman from New Hampshire [Mr. SWETT].

Mr. SWETT. Madam Speaker, I appreciate the opportunity to come down. I was listening to you from my office on C-SPAN. I want to commend all 3 of you for carrying on this debate.

I think that this is an important issue to be talking about. I wanted to bring a little bit larger perspective, and I think this is one that you will appreciate, because you and I have worked so closely on European parliament issues. We are seeing here the formation of a Western Hemisphere equivalent to the European Parliament, much smaller in scale, being three countries as opposed to the 12 who make up the European Community. But if you stop and you realize

that in the last 5 years max, probably closer to 4 or 3 years of actual substantive debate, we have been negotiating with Canada and Mexico to bring forward an open market between those three countries.

Compare that with the 12 countries in Europe, which took 37 years to get not even as far along as what we are trying to do with the NAFTA. Once again, to realize that we may be going at this a little too quickly.

I certainly agree that free trade is a goal that we should all shoot for here in the Western Hemisphere. I think that the whole idea of free trade is a very good one, but fair trade is a very important component in that.

I wanted to bring out not only the fact that fast track really has not worked, and I have to admit that I was one of those Members who supported fast track when it first came through. But I have since realized that it closed down the system, and it limited debate. And it ultimately allowed decisions to be made outside of the view of Congress and outside of the view of the public and those groups that it was going to impact the most.

What I have also come to recognize has been what I have come to call the Chicken Little syndrome in Washington, where we seem to be managing by crisis. All of a sudden this is the NAFTA. This is the only NAFTA that we will never be able to enact. I think that that is a fallacy in itself, because what I have seen over the short time that I have been in Congress, since 1990, and I have no prior experience to judge from, what I have seen is a body that goes into convulsions when it comes close to time to vote on a particular legislation, that you begin to think that there is absolutely no recourse if that legislation fails and, therefore, it has to pass.

What I would like to suggest, and I think that my good colleague, the gentleman from Ohio [Mr. BROWN] was beginning to get into this whole area, that we have solutions that we can offer that will improve the NAFTA and that we cannot end with this one vote where NAFTA goes down but, rather, resurrect something from the ashes, like a phoenix, and go on with a much more improved NAFTA that ultimately serves as a template from which the Latin American countries south of Mexico can draw upon to craft their free-trade agreements that will ultimately lead to a Western Hemisphere free-trade agreement.

□ 2140

I think those are the things that many people in the public need to understand, that we are not here to destroy this trade agreement, we are here to make it better. I think the suggestions by the gentleman from Ohio [Mr. BROWN] are a very good start.

I think also the comparisons that we have heard made with Japan are great

lessons to be drawn from, because if Japan were to go into this, and they are certainly waiting like vultures on the branches of the trees that overshadow the Mexican economy, and they are going to swoop down and use this as a platform to launch into the American market.

If they were to engage in this kind of agreement, I think what they would be doing is the reverse of what we have done here in this country with regard to the NAFTA. I think if we are truly interested in improving the environment and labor protection, we would be setting up a situation where we are asking for character change before the carrot is given. I think what we see happening in the NAFTA as it is currently crafted is the giving of the carrot before the character change is demonstrated.

This country has done this time and time again in foreign policy, I think with regard to trade, most particularly. We have seen it used and abused in this way with most favored nation status for any number of countries where we expect, out of the goodness of our hearts, maybe, out of the naïveté of our foreign policy, maybe, or just because that is something that we would like to think will happen, that a country is going to change its behavior after we have given them what they are asking for.

I think this is a chance for us finally to take a stand and say, "Let us put this in place and offer milestones to Mexico that will ensure that they are making progress in the right direction. Let them take their tariffs down. Let us gradually remove our tariffs as they demonstrate that they are able to accommodate those protections for the environment and for labor."

Mr. BROWN of Ohio. Will the gentleman yield on that?

Mr. SWETT. I am happy to yield to the gentleman from Ohio.

Mr. BROWN of Ohio. That is exactly right. What Ms. KAPTUR said in her discussion about Salinas saying, "Maybe we will link wages to productivity," there is nothing in the agreement.

As the gentleman from New Hampshire [Mr. SWETT] said, you don't give away the store, I guess he used a different metaphor, but you don't give away the store. You just don't give them the store and then say, "Would you agree to do this?"

Clearly if wages are going to be higher in Mexico, if we are going to see the wages go up, if we are going to see a minimum wage, if we are going to see worker safety requirements, we have to get that in the agreement, not just get a pat on the head from President Salinas and a wink and nod saying, "We will do these things once we sign this agreement."

The gentleman talked about productivity. Mexican wages in the last dozen years have gone down 30 percent while

productivity in Mexico has gone up 40 percent. That is why NAFTA will not work, is that wages will not rise in Mexico with this more investment, with more American and Japanese and Korean investment in Mexico. Wages will not rise because the Government will not let those wages rise.

We need major parts of this agreement on a minimum wage, better environmental agreements, better free elections. We need in this agreement things such as guarantees for labor unions to organize and bargain collectively, things like that. That is what will create the middle class there.

Mr. SWETT. I want to point out to the American public that there is a large number of very committed Members of Congress who want to continue the negotiations, and we are going to fight tooth and nail to see that this agreement is improved, and that we will continue the process, because we understand that this is not the end of the world. The sky is not falling. This is a continuum. This is a negotiation that ultimately can be improved.

I appreciate the gentleman from Ohio [Ms. KAPTUR] offering me the opportunity to discuss this.

Ms. KAPTUR. I am just so thankful that the gentleman came here this evening and joined us in this effort, because, first of all, let me say to the gentleman from New Hampshire [Mr. SWETT] that his hard work with the European Parliament, I think, adds special credence as we move into this debate, because the gentleman has sat through the meetings, the gentleman has seen the developments there, the gentleman has watched the integration of Spain and Portugal and Greece, and now the efforts to try to move the nations of Eastern Europe and Central Europe into that major market.

Through all of it, there has been at the fundamental, at the base of it all, a commitment to democratic reform, and that each of those nations must be functioning democracies before they enter the market, so the principles of democracy were at the very base. They were not forgotten, as they are in this agreement. In fact, this agreement is silent on issues that concern political freedom.

I quoted earlier today on the floor a statement by John Kennedy when the Alliance for Progress was envisioned, when we were all very young, and he talked about economic development in and of itself not being sufficient without political liberty and freedom, and that that had to be the base of any relationship in this hemisphere, set of relationships.

I think you have brought that out, and you have talked about political structures, you have talked about social structures, you have talked about economic structures that have to be brought together. The tragedy of this agreement, and I think we all feel this,

for those of us who have a history in working in the international realm, we know that this agreement would not even get a C-plus in any class that we would take on how to put this together.

We just want the chance to do it right, and this truly is the first post-cold war trade agreement that this Nation will sign, and for this hemisphere, it is absolutely precedent-setting.

The kind of care you wish to take, I think, and the good job that you would do, I know, because you would appreciate the architecture of it all, would make a major contribution to the 21st century.

I yield to the gentleman from Michigan [Mr. STUPAK], if he wanted to add something at this point.

Mr. STUPAK. Not at this point. I just appreciate the opportunity of being here tonight. We have had a good discussion, a wide-ranging discussion from water to jobs to employment to wages to the very true fact that was probably not brought out by our friend, the gentleman from New Hampshire [Mr. SWETT], that we are not against free trade, we are not against fair trade, but those are the two keys, free and fair, which are not found in this agreement.

As we dig more and more, every night or every week when we have these special orders, we find more and more flaws in this NAFTA agreement. It has been fast-tracked, but it is important for those of us who oppose it and for our colleagues who are listening not to get fast-tracked with it, but to dig into it to find the insidious parts of NAFTA which will hurt this country.

Ms. KAPTUR. As we went and traveled through Mexico and we met with many of the leaders who care very much, not just about economic growth but they care about democracy, and they care about social charters and human rights in that country, they literally begged us, and many of them met with us privately, in secret, so their names would not be revealed, because they were fearful for their own lives, for their families, for their jobs. They could not speak freely in that country.

They begged us to put up the kind of fight we are putting up here tonight. Many of those people of all political persuasions in Mexico would join us in a common effort to put together a continental accord that we could look back on, and our children could look back on, and be very proud of. We know this one is not it, but we hope that we will be able to defeat this current NAFTA so we can go back to the drawing boards and do it right for the sake of the future of the hemisphere.

I want to thank the gentleman from Ohio [Mr. BROWN], the gentleman from New Hampshire [Mr. SWETT], and the gentleman from Michigan [Mr.

STUPAK]. I also want to thank the gentlewoman from Maryland [Mrs. BENTLEY] for having been here earlier this evening.

I see the gentleman from Vermont [Mr. SANDERS] here, who held a tremendous rally in Vermont this past week which made national headlines, and we thank him very much.

EXCHANGE OF SPECIAL ORDER TIME

Mr. BOEHNER. Madam Speaker, I ask unanimous consent to exchange my time with that of the gentleman from New York [Mr. SOLOMON].

Mrs. MALONEY. Is there objection to the request of the gentleman from Ohio?

There was no objection.

SHALL THE UNITED STATES ADOPT A SINGLE-PAYER CANADIAN-STYLE HEALTH CARE SYSTEM?

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Ohio [Mr. BOEHNER] is recognized for 60 minutes.

Mr. BOEHNER. Madam Speaker, during the next hour you will witness the first Lincoln-Douglas-style debate to be held here on the House floor. This debate is sponsored by the Conservative Opportunity Society, a group of activist conservative Members of the House, and the Progressive Caucus, a Member organization that is dedicated to forwarding a progressive agenda.

This is the first of many debates these two groups will be sponsoring. We hope these debates will provide our colleagues and the American people with an informative and critical presentation on issues of national concern.

Tonight's debate will focus on the issue of health care, and the debate will be the following. The question shall be: Shall the United States adopt a single-payer Canadian-style health care system?

A single-payer health care system is defined as one in which the Government pays and administers health care for all its citizens. Speaking in favor of the resolution is the gentleman from Washington, JIM McDERMOTT, and the gentleman from Vermont, BERNIE SANDERS.

The gentleman from Wyoming, CRAIG THOMAS, and the gentleman from Illinois, DENNY HASTERT, will speak against the resolution.

□ 2150

The format provides for opening statements by each debater, a cross-examination period where each team will have a chance to ask and respond to questions, rebuttals from each team, and closing remarks.

I will be the moderator for this first debate and will yield time to each of the debaters.

We begin the debate with 3½-minute opening statements from each of the participants, each of whom will speak according to the agreed-upon format.

I yield to the gentleman from Washington [Mr. McDERMOTT] to start our debate.

Mr. McDERMOTT. Madam Speaker, last week the President came to this body and brought a health care reform proposal in which he announced that he would not sign into law any bill that did not provide universal coverage for all Americans with a very generous package. Now single-payer is the only proposal that guarantees free choice of provider and assures that you do not have to change your current health care arrangement. It breaks the link between insurance and employment. The Congress would define a benefit package and provide the financing.

Doctors and hospitals, on the other hand, remain entirely in private hands. They would not be employees of the Government or insurance companies. You would go to your doctor and the State would pay your bills on your behalf, just like an insurance company does today.

The difference is that universal coverage is guaranteed no matter where you live, no matter for whom you work, how much money you have. The cost control is real, and 25 cents of every dollar spent on administrative waste due to the inefficiencies and marketing costs of private insurance companies is eliminated totally. That money is then used for health care delivery.

Single payer is the cheapest form of health care reform and the plan that will leave the most money in the pockets of the citizens of this country. Every other industrialized country in the Western World has used some form of single payer to guarantee coverage and to contain costs. We should accept no less in this country. We can do anything better than any other country and we ought to be about it.

Now what do Americans want from health care reform? They want universal coverage so they do not have to worry any more about who is in and who is out and if the problem they have is covered. They want health care that provides free choice of provider, that is affordable. They want to end to unnecessary administrative costs that are devouring our resources and can be used to deliver health care.

We spend \$70 billion a year in unnecessary administrative costs in our system. They want stable and comprehensive benefits. Single payer is the only road-tested plan that delivers these goals for the American people.

Mr. BOEHNER. I yield to the gentleman from Wyoming [Mr. THOMAS].

Mr. THOMAS of Wyoming. Madam Speaker, let me restate again the question. That is should the United States adopt a single-payer Canadian-style

health care system? That is the issue we are talking about. So let me open by stating what this debate is not about.

We are not debating whether to have universal coverage and universal access. We agree all Americans should have the opportunity for coverage. The question is whether you achieve that with a Canadian-style system, and with it the serious systemic problems that it would cause.

We know the diagnosis for America's health care woes. It is the proposed cure of a single-payer system that we believe is a faulty treatment for the American people. We are debating the weaknesses and the failings of the Canadian system, and all of us know those failings exist—rationing, high costs, technological shortages, substandard care, particularly in rural areas, huge tax burdens, the lack of money committed to research.

Three of us here who are involved in this debate tonight at the same time all visited Canada together and we looked specifically at the single-payer system. The fact is that Americans under such a system would be left out, overtaxed, and forced to accept substandard health care.

The bottom line is this: A socialized program is not the answer to America's health care problems. We know that by looking at Canada. We know that by looking at our own problems.

Right now we have 60 million people under single-payer, three times as many as Canada in Medicare and Medicaid. They are a single payer system which no one can hold up as a shining example of health care efficiency or quality. Indeed, if it were not for the other system for the shifting of costs, that system would have collapsed. Patients, providers, and program administrators alike universally say these government programs have big problems and cannot deliver health care as well.

The inherent virtue of socialism is equal sharing of misery, and that is exactly, my friends, what we have. And that is what socialized medicine gives us.

Philosophically this country has a choice: Should the United States adopt a single-payer system, socialism, or not? That is what we are debating here this evening, socialized medicine and bigger government, bigger taxes.

None of these things are what Americans say they want, and as their elective representatives we must respect that. In yesterday's election people proved that conclusively.

Should we adopt a single-payer Canadian-style system? Absolutely not. We need an American-style system. One that fits Canada will not fit America. One that fits all sizes fails, especially when the country has 10 times as much population, 10 times as many people as does Canada. We are a different country. We have a different ethic. We do

not need another country's bad idea of something so vital and so important to the American people as their health care.

Mr. BOEHNER. Madam Speaker, I yield to the gentleman from Vermont [Mr. SANDERS].

Mr. SANDERS. Madam Speaker, let me begin by asking a simple question, and that is do we believe, as the Canadians do, and as most industrialized nations do, that health care is a right of all people, or do we believe that quality health care should be a privilege of wealth? The more money you have, the better health care you receive. In other words, do we want to continue the current inequitable system which says that if you are rich, you can receive some of the best medical care in the world, but if you are working class, or poor, tough luck. You, your kids, and your parents will not have the same opportunity for long life, for good health, as those people who have the money. That is really the heart of this debate, and let me be very clear about my point of view on this issue.

I object strenuously to any health care system which says that the children of family farmers or factory workers in my State of Vermont who do not have a lot of money should get second-class care compared to those people who are wealthy. The only health care system which treats all citizens alike, and which provides quality health care to all people, regardless of their income, and without out-of-pocket expenses, is the single-payer Canadian-style system, which is why I am fighting hard for that system in Vermont and for our Nation.

The Canadian single-payer system, which is administered at the Provincial level, is not a perfect system, but in terms of access, in terms of simplicity, in terms of comprehensive care, in terms of cost containment, it works far better than our system does, and in terms of support from the people it is far more popular in their country than our nonsystem is in our country.

Let me briefly compare the two systems. Today in the United States, despite the fact that 37 million Americans including 9½ million children have no health insurance, despite the fact that 50 million Americans are underinsured, despite the fact that senior citizens today pay out of pocket a higher percentage of their limited incomes on health care than they did before Medicare, despite the fact that we have one of the highest rates of infant mortality in the industrialized world, far higher than Canada, despite the fact that we have a lower lifespan than almost any other industrialized nation including Canada, despite all of that, the United States today spends 40 percent more per capita on health care than do our Canadian neighbors, who have a high-quality, comprehensive, universal health care system.

Let me describe very briefly how, with a single-payer system, we can provide quality health care to every man, woman, and child in this country without spending one penny more than the \$900 billion we are currently spending.

First, by eliminating the 1,500 private insurance companies whose only function is to make money, not to provide health care, we can, according to the General Accounting Office, save an estimated 10 percent of our health care costs, some \$90 billion.

□ 2200

Under single-payer system, everybody has the same card, everybody goes to the doctors and to the hospitals of their choice and bills are paid by a single public agency, with a minimum of paperwork.

The uncomplicated Canadian health care system costs 11 percent to administer, compared to our cost of 24 percent. Every day in our country more and more bureaucrats, insurance examiners, lawyers and bill collectors are getting into the system, and they are costing us a fortune. There are enormous savings in the simplicity and universality of the Canadian plan that we should be enjoying as well.

Further, single-payer system negotiates and limits the fees that doctors can charge. The result, medical procedures, whether it is an appendectomy or a coronary bypass, are significantly less expensive in Canada than they are in the United States. In fact, we are 72 percent higher in the United States.

Mr. BOEHNER. Madam Speaker, I now yield to the gentleman from Illinois [Mr. HASTERT].

Mr. HASTERT. I thank the gentleman for yielding.

Madam Speaker, as a member of Congress from the Land of Lincoln, it is an honor to participate in this first Lincoln-Douglas debate.

We are here tonight to debate the issue of America adopting a Canadian-style, government-run health care system.

Adopting the Canadian health care system sounds attractive to Americans who are concerned about the skyrocketing costs and the millions of Americans who lack insurance. The Canadian model appears to solve both these problems. Everyone is covered and services are free. It sounds great.

But as H.L. Mencken would say, "There is always an easy solution to every human problem * * * [and it is] neat, plausible, and wrong." The same is true with the Canadian model.

Briefly, to describe the Canadian system: It is a universal, tax-financed health insurance system. All Canadians have access, without charge, to physician services; all residents must be covered and enrolled; and all plans are administered and operated by the provincial government.

The flaws with this approach fall into two categories. First, the Canadian

system has no mechanism to control costs. Since all services are free, consumers have no reason to prudently purchase services. And since all hospitals are given a set budget, regardless of the quality of care delivered, there is no incentive for them to adopt innovative and cost efficient improvements. The second flaw is that politicians and bureaucrats will decide how much health care is delivered—not patients and doctors.

And all we need to do is look at Canada to see what problems these structural flaws cause.

Proponents of a single-payer system will say that such a system controls costs more effectively. The facts tell another story.

As this first graph shows, from 1967 to 1987 real per capita health care spending actually increased faster in Canada than in the United States.

Canadian fans also point to the statistic that Canada spends less of its GNP on health care than the United States. But comparing these two fractions is like comparing apples to oranges. When talking about Canadian expenditures, the number doesn't include capital spending and R&D costs to the same extent the United States number does, nor does it include expenses for dental care, prescriptions, ambulance service, private hospital rooms and eyeglasses. It doesn't take into account the fact that the United States population is slightly older, nor that the United States has a much higher violent crime rate, heavier illegal drug use and a greater incidence of AIDS than Canada.

National health care advocates always talk about the huge administrative savings that would be realized if the government would take over our health care system. While a single set of rules, forms and billing policies would save some money, the savings would not be enough to pay for the system. It's important to realize that the Canadian data used in the comparisons did not include many indirect costs associated with the system such as facilities and equipment.

In addition, roughly half of provider administrative costs in the United States are attributed to functions that would be largely unaffected by changing reimbursement methods. These include peer review organizations and Federal quality control regulations. It is highly unlikely that these programs and their costs would disappear.

Also, the litigious nature of American society also contributes to higher overhead. Health care providers must spend large amounts of money on documentation, risk management, quality assurance, legal fees and medical liability premiums.

The second set of problems stem from the inefficiencies of having the government decide how all the money is spent. Health care is too complex and

too sensitive to local needs for Washington to have all the answers.

The Canadian system relies on government controls such as caps of expenditures, limits on high-tech equipment and on physician supply. This has led to artificial shortages of critical personnel and equipment. As this second graph shows, government control of hospital capital and operating budgets limits the adoption of medical technology in Canada.

On a per capita basis, the United States has more diagnostic equipment and facilities than Canada. It is important that Americans realize that Canadians hold health care costs down by denying services, not by using resources efficiently. This third graph shows how long patients have to wait in British Columbia for these routine procedures. Such waiting lists would be totally unacceptable to Americans—in fact they'd almost be considered grounds for malpractice. How many Americans really believe that the government is more efficient than the private sector.

To conclude, I would like to tell you about a Canadian woman who was visiting Illinois with her husband. He was admitted to a local hospital with a blood clot, but because he was scanned with an MRI they soon discovered a tumor. When arrangements were made to fly back to Canada, they discovered that he could not be seen by a doctor for 3 weeks and radiation treatment could not begin for a week after that. He stayed in Illinois and received treatment right away. She wrote a letter to her local newspaper saying she had always felt good about the Canadian system, until she realized it wasn't there when she needed it.

Canadians can come to the United States when they need quality care in a timely manner. Where will Americans go if our Government starts running the entire show? Mexico?

Mr. BOEHNER. Madam Speaker, we now move on to that portion of our debate where we do cross-examination. Again, following the agreed-upon format, participants have 30 seconds to ask a question of a specific opposing Member. That Member then has 2 minutes to answer, to be followed by a 30-second rebuttal by the original questioner.

I now yield to the gentleman from Washington to ask a question of the gentleman from Illinois [Mr. HASTERT].

Mr. McDERMOTT. I thank the gentleman.

I ask the gentleman: We have a number of other plans, health plans that have been offered, including one that the gentleman himself has proposed. They only promise universal access, not universal coverage. Only one plan, the single-payer plan, offers universal coverage.

Now, window shopping is one thing, but the ability to buy is another. How

will his approach assure that people will be able to actually afford health insurance? Our plan provides it, it provides a way to finance it. I would like to hear his statement as to how he is going to cover everybody and make it possible for people to buy it.

Mr. BOEHNER. I yield to the gentleman from Illinois.

Mr. HASTERT. We think it is important that people have universal access to health care insurance, and what we do is we allow—first of all, we focus on who does not have health care insurance basically in this country: small-business people, they are farmers, they are barbers, they are physicians, proprietors of their own businesses, partnerships; they are also people who work for small businesses. So our approach is to focus on people who do not have health insurance. What we do is to allow those folks to pool into huge groups, guarantee them by pooling, give them access to insurance, give them portability of health care, to move from job to job. We also allow them health care for preexisting conditions, to reinsure in reinsurance pools—that is how you do it with liability insurance today. Also, today we guarantee that they get the same breaks that any other American business would get, that is, the ability to buy insurance at low cost. Incidentally, that is why those people cannot buy insurance today, it is too expensive. When they go to the market with one, two, or four people, they pay 1½ to 4 times the cost that big business pays for insurance for their employees.

Give people the break, give people low-cost insurance, and give them tax deductibility when they buy that insurance. That is something they do not have today.

For people at 100 percent of poverty, we redirect dish money, so instead of people getting health care, such as my State of Illinois where it costs \$15,000 for a family of five to get health care in the emergency room, those people can get it on board with a primary care policy at much less cost, at \$3,500 to \$3,600.

People at 200 percent of poverty, we give them the ability to buy into these programs, a family of four earning \$28,000, you give them the ability to take care of themselves. We have a basic premise where we believe that Americans want to do the right thing. If they have the opportunity to buy good low-cost insurance, with portability, without prohibitions of preexisting conditions and get tax deductibility, they will do the right thing and buy it.

Mr. BOEHNER. The time of the gentleman has expired.

I yield to the gentleman from Washington for a rebuttal.

Mr. McDERMOTT. If I understand the gentleman's answer, he has adopted the President's proposal of creating a

bureaucracy to pool small purchasers, called the health alliance, at unknown cost. It is unusual that he suggests that we ought to create more bureaucracy.

The second thing he comes up with is he is going to subsidize people under 100 percent of poverty, which means he is going to set up some kind of welfare system by which he is going to give people the money if they need it. That is creating a second bureaucracy, which, in my opinion, is totally wasteful. The single-payer system says we subsidize everybody in the same pot; everybody puts in, people take out what they need. The gentleman creates bureaucracy to solve it. That is not the American way; it is not an efficient way.

Mr. BOEHNER. I now yield to the gentleman from Wyoming to ask a question of the gentleman from Vermont.

Mr. THOMAS of Wyoming. Let me preface my question with this chart, which shows the waiting time in the various provinces for the various procedures in Canada. It is true, yes, it is.

My question is to the gentleman from Vermont: In Ontario, patients wait up to 1 year for eye surgery, 6 months for a CT scan. Budgets resulting in rationed care and substandard care. Who will be responsible for the woman who waits months for a biopsy for a mammogram which shows tumor growth?

Mr. BOEHNER. I yield to the gentleman from Vermont for his answer.

Mr. SANDERS. If I did not know the gentleman better, I would think he would be giving me the lie of the insurance companies, trying to disparage the Canadian health care system.

As the gentleman knows, there is a multi-multi-million-dollar effort now to disparage, to create a whole lot of fantasy about what is going on in Canada. When we talk about rationing and we talk about waiting periods, let us compare what goes on in Canada to what goes on in the United States. In Canada, anybody can go in, rich or poor, to any doctor or any hospital that they want. In the United States, when we talk about waiting periods, what about the tens of millions of people who cannot afford to go to the doctor, who cannot afford to go to the hospital?

□ 2210

Doctors in Vermont and all over this country are seeing patients today far sicker than they were 10 years ago, because people cannot afford to go to the doctor and to the hospital.

In terms of the so-called waiting periods in Canada, a lot of that, most of that stuff is absolute malarkey. Ninety-nine percent of the time there are no waiting periods.

In fact, in terms of women's opportunity to get help for breast cancer,

they move faster in British Columbia than they do in the State of Washington.

What you are hearing, the idea that people in droves are leaving Canada to come to the United States because of the waiting periods there is also utter nonsense. Most of the people from Canada who get treatment in the United States get treatment because they are ill in the United States.

I should also inform the gentleman that the State of Vermont and in northern States there are people who go over the border to Canada because of the reasonableness of the cost of their health care. In the southern part of our country there are Americans who go to Texas.

But I would argue that in terms of the need for basic health care costs, basic health care, there are not significant waiting periods in Canada, and it is not worse than it is in the United States.

Mr. BOEHNER. Madam Speaker, I yield to the gentleman from Wyoming [Mr. THOMAS].

Mr. THOMAS of Wyoming. Madam Speaker, I say to the gentleman from Vermont [Mr. SANDERS], here is the report. The gentleman was there. We heard the doctors. We heard the report. Here is the report. I can give the gentleman the citation.

Furthermore, the gentleman's partner who comes from the State of Washington, please tell me if that is true, why British Columbia contracted to the State of Washington to perform 200 cardiacs?

So it is a fact there is waiting. It is a fact that is the way you ration. It is a fact that is the result of global budgeting. There is no other alternative. That is the way it is.

It is a fact that there has not been more money put in by the Federal Government. They have frozen that in 1989, and therefore there is rationing and it cannot really be argued.

Mr. BOEHNER. Madam Speaker, I yield to the gentleman from Vermont to ask a question of the gentleman from Illinois.

Mr. SANDERS. To the gentleman from Illinois [Mr. HASTERT], I will have to ask a philosophical question. Under the Canadian single-payer system, all people, the richest and the poorest, have equal access to the health care that they need, all the health care that they need.

My question to the gentleman is, Does the gentleman agree that health care should be a right, a right of all Americans regardless of their income, and that the quality and availability of health care should not be dependent upon the income of the individual or the family?

Mr. BOEHNER. I yield to the gentleman from Illinois for a response.

Mr. HASTERT. I think all Americans agree that all Americans should have a

right to health care. They have the right to be able to get health care insurance to cover themselves and their families.

One of the problems that we see in the Canadian system, the gentleman was there and visited the various bureaus to which we went, but even though the Canadians systematically have a right to health care, they pay a 39- to 59-percent marginal income tax, in Ontario specifically. They pay a 15-percent value added tax in Ontario, plus employers pay a \$700 to \$800 employee checkoff per employee.

They brought in, in Ontario, because I was specifically interested in a comparison to Illinois, 10 million people in Ontario, 11½ million people in Illinois, and the numbers were they spend \$1,750 per person; \$17½ billion on health care spent in fiscal year 1991 right here in the Ontario provincial handbook. In the revenue handbook, they brought in \$7½ billion in Ontario in fiscal year 1991.

The real problem is that the revenue flow does not match the promises. That is why there is rationing. That is why this charade in Canada that we talk about of equal health care, that there is not health care, because people cannot get it. It is not there. They close down the MRI's at 6 o'clock. People have to go someplace else. They have to wait in line, and that is the problem.

Here are the facts, I say to the gentleman from Vermont [Mr. SANDERS]. The facts that we saw and got from the officials in Canada, the revenue for this program does not match the outflow, and it would be the same when you lay it on the 270 million people in the United States of America.

Mr. BOEHNER. I yield to the gentleman from Vermont for his rebuttal.

Mr. SANDERS. The gentleman did not answer the question, I say to the gentleman from Illinois [Mr. HASTERT]. Therefore, I gather that what the gentleman is saying is that he believes there should be a health care system in which if you have the money, you can go to the best doctors and hospitals in the world, but if you do not, your kids will die at a younger age. Your parents will die at a younger age. I gather that is the system the gentleman defends.

In terms of taxes in Canada, the fact of the matter is when you add taxes in Canada, which are slightly higher than in the United States, to the cost of private health care insurance, which is much higher in the United States than in Canada, guess what? Both costs comes out about equal.

The Canadians do not have to pay very much for private insurance because they have a national health care system which provides all the care that they need.

Mr. BOEHNER. I yield to the gentleman from Illinois to ask a question of the gentleman from Vermont.

Mr. HASTERT. To the gentleman from Vermont, the single-payer advo-

cates argue that such a system is more effective in controlling costs. I agree that having one form would save money. We do not need a government takeover of the system to require only one form, electronic billing and other reforms to lower administrative costs; however, the statistics of what happened in Canada clearly demonstrate they have not been able to effectively control costs.

Could the gentleman explain what is the cost containment mechanism in the single-payer approach?

Mr. BOEHNER. I yield to the gentleman from Vermont.

Mr. SANDERS. Delighted to do it. As the GAO told us, by getting rid of all the bureaucracy of 1,500 private insurance companies billing, advertising, paying corporate executives huge salaries, we could save \$90 billion right off the top.

No. 2, by negotiating doctors' fees which in the United States are 70 percent higher than they are in Canada, we could save tens of billions of dollars.

No. 3, single-payer enables us to negotiate with the pharmaceutical companies, which is why pharmaceuticals in Canada are 62 percent of the cost that they are in the United States. They do not allow their drug companies to rip their people off.

No. 4, by providing access for all people, people do not have to wait until they are sick and end up with significant health care expenses in the hospital.

So the savings are there, and that is why, I say to the gentleman from Illinois [Mr. HASTERT], in the United States today, we spend 40 percent more per capita than they do in Canada.

Mr. BOEHNER. I yield to the gentleman from Illinois [Mr. HASTERT].

Mr. HASTERT. It is too bad the gentleman was not at the GAO hearing the other day when General Boucher took the stand and basically admitted that the GAO health care study that the gentleman has liberally quoted was flawed. They did not add in everything. They did not subtract everything and the \$90 billion of health care savings in Canada just does not exist.

So we need to go back and take a look at what the basic premise is.

Philosophically, we need the free market to develop competition. Competition among those health care providers holds down costs. We need to make sure that that exists.

Mr. BOEHNER. Madam Speaker, I yield to the gentleman from Vermont [Mr. SANDERS] to ask a question of the gentleman from Wyoming [Mr. THOMAS].

Mr. SANDERS. To the gentleman from Wyoming [Mr. THOMAS], a variety of polls have shown that the Canadian people and their physicians, despite some of the gentleman's rhetoric, feel very positively and are very proud of

their system, while polls in this country show widespread dissatisfaction among the public and our physicians with our health care system.

The liberal party of Canada, as the gentleman knows, recently won a landslide election there last week, fully supporting, during their campaign, their health care system and rejecting user fees completely.

One poll showed that 3 percent of Canadians wanted to go back to the good old American system that they used to have.

My question is, given that reality, does that not suggest to the gentleman that we can learn from their system, that their system is working well, is supported by their people and that there is much of their system that we could adopt here?

Mr. BOEHNER. I yield to the gentleman from Wyoming [Mr. THOMAS].

Mr. THOMAS of Wyoming. Madam Speaker, I say to the gentleman from Vermont [Mr. SANDERS] that I do believe there are some things that we can learn. Certainly that would be true, I think, of each of the systems throughout the world. There are things that we could learn. I think there is advantage in their system in terms of administrative costs, but I have to say again this is a different country. This is a different ethic. This is a different kind of an economy. This is a private enterprise economy. We are not accustomed to having as high taxes and having Government provide as many services. We are not accustomed to having 15-percent sales taxes as they have in the province where we were, 50-percent income tax, in order to fund a Government service that they have become accustomed to. That is the kind of thing they are used to. They are sort of used to using the United States as a safety valve.

Where do we go when we do not have services, to Mexico? I do not think so. They have used this country as a support for that kind of a system.

So of course, it makes it somewhat better.

My point, I believe, is that we are talking here about implementing and implanting on this country a so-called Canadian system that has been developed over 20 years and is now beginning to run into serious financial problems. As the gentleman knows, they have frozen the payments into these hospitals at the 1989 level, which makes it more difficult under global processes.

So I just object to the notion that somehow, because they are somewhat satisfied, or even very satisfied with that system, that that would cause us who are accustomed to much more technology, much more breakthrough in new techniques, and they readily admit that they look to the United States for all new techniques, and by the way, their costs do not show any of these kinds of research costs that we

have here, and I hope we continue to have.

□ 2220

I think to say they are happy with it, we should be happy with it, is simply not a comparison that is valid.

Mr. BOEHNER. I yield to the gentleman from Vermont [Mr. SANDERS] for his rebuttal.

Mr. SANDERS. My point is that the Canadian people, who have experienced their system for 20 years, are overwhelmingly supportive of it, as are their political leaders. On the other hand, in our system, physicians and other people are grossly dissatisfied, by and large, with what is going on here.

Madam Speaker, it seems to me that we can learn a great deal about what they are doing there if, in fact, we have the courage to take on the insurance companies and the pharmaceutical companies who are dominating the debate about health care in this country.

Mr. BOEHNER. Madam Speaker, I yield to the gentleman from Illinois [Mr. HASTERT] to ask a question of the gentleman from the State Washington.

Mr. HASTERT. To my good friend from Washington:

In a Roll Call article dated October 18, 1993, you stated the Canadian style health care system is not a government run system. Government serves only as the single financing mechanism. While it's true that the Canadian hospitals are not government agencies and doctors are not government employees per se, having the government determine how much money can be spent by each hospital, the income level of each doctor and whether or not a hospital can buy a new piece of equipment essentially means that the government is deciding how much of health care is being delivered to its citizens.

Don't you agree that this is a huge expansion of government authority?

Mr. BOEHNER. I yield to the gentleman from Washington [Mr. McDERMOTT].

Mr. McDERMOTT. The American system, if the gentleman wants to use his logic, is an insurance-company-run system, and what we are talking about in this country is to whom shall we give the control. Shall we give it to the insurance companies, or shall we give it to the Government and the elected representatives to make the decisions for all the American people because what is at heart here is a decision about whether it is a right to have health insurance in this country of citizenship or of one's employment. And I believe that we should move, and I think those of us who support the single-payer system believe we should move, to a citizen-based decisionmaking that is decided through the elected representatives in terms of how much money.

But the fact is the Canadian system is not run by the Government. The patient comes to the doctor that they select. They go to the hospital that they select. It is a decision by the doctor what he shall do.

In this country, one has to call an 800 number. I am a physician; I know. One has to call an 800 number if they want to leave a woman in the hospital an extra day after the birth of a child. That decision cannot be made on their own unless an insurance company gives them that option.

But in Canada, the physician is making that decision on behalf of his patient, and I believe that that is the kind of system we really want, where we do not have the Government coming between the patient and the doctor. The doctor-patient relationship is not broken in Canada, or Germany, or Australia, or any of the countries in the world where they have a single-payer system, and I believe that increasingly in this country, as we hand the controls of our health care system to insurance companies and people at the end of 800 numbers somewhere—some clerk—we are taking away the essence of what we know in American medicine is important, the doctor-patient relationship.

For that reason I think that the Government is not intrusive. It simply provides the money to pay the bills.

Mr. BOEHNER. I now yield to the gentleman from Illinois [Mr. HASTERT] for his rebuttal.

Mr. HASTERT. The gentleman and I have both been to Canada. He has seen the global budgets put on hospitals and the rationing of how hospitals get by, by using 70 percent of the beds for people who are chronically ill and 30 percent of the beds for people who are acutely ill. We have seen doctors' salaries set at \$125,000, so, when they reach that, they go to Florida in October. We know how that system works. It is a rationing system.

We do agree on one thing. We have to change the insurance system in this country. We have to make insurance companies accountable. We cannot let them prohibit or underwrite the pre-existing conditions, and we have to give people good portable health care, and I think our alternative, the 30-80 that the gentleman mentioned before, does allow people to do that. It is a common sense, pragmatic way to solve the problem.

Mr. BOEHNER. We now move to the next segment of this debate. A Member from each team will have an opportunity to address any points from the previous section and offer a rebuttal to the information provided by the other team.

I now yield to the gentleman from Washington [Mr. McDERMOTT].

Mr. McDERMOTT. Madam Speaker, it has been interesting here tonight for anybody watching this and listening to it to listen to the myths about a single-payer system. I want to take one myth because I have one specific one I know the answer to. I have heard this thrown around over and over again.

Madam Speaker, it is that British Columbia contracted with Seattle for

200 heart operations because, quote, there was no technology in Canada and there was a long waiting list. It turned out that that was a myth. It took them over a year to find the 200 patients. What the real problem was was that Canadians wanted to go to two specific doctors, and of course there was a line, and, when asked whether they would rather go down to the United States and have it done immediately in a university hospital like the University of Washington, they said, "No, we want to wait for Dr. X here in Vancouver."

There is no documented waiting list of people who have serious problems in Canada. We have waiting lists in this country. One cannot just walk into any doctor's office on any given day and get a routine thing taken care of. They have to make an appointment, and that is what a waiting list is, and the Canadian have it, and we have it.

Now, as to the high costs, I frankly find this discussion almost unbelievable that people would say the Canadians cannot control costs. The Canadians spend 40 percent less per capita than we do. Whatever one wants to say about their system, they cannot deny that they have controlled the costs. That simply is laughable because they have been able to do it.

We started out in 1960 spending about the same amount per capita as the Canadians, and since 1960 we have gone to 15 percent of our gross national product, whereas the Canadians are less than 10 percent. It is simply not true that they cannot control costs.

Now, as to the question of whether they interfere between the doctor and the patient, I want to deal with that one again because I think it is absolutely crucial. Every Canadian has the right to choose whatever physician they want to go to, whatever hospital they want to go to. That is not true today, and it will not be true if these HMOs that people are going to be forced into on an economic basis occur.

Mr. BOEHNER. I yield now to the gentleman from Wyoming [Mr. THOMAS].

Mr. THOMAS of Wyoming. Madam Speaker, let me just comment on the growth. Here is a chart that charts it clear back to 1967, but the gentleman mentioned particularly that area in the 1980's. It shows that the increase in real health care spending per capita in Canada had risen in 1982 to 87.4 percent, in this country, 4.1 percent, and it follows that pattern. So, there has been growth, and there continues to be.

The gentleman from Washington [Mr. McDERMOTT] indicated that single payer is not a Government program, but in his article he went on to say that the Government collects the money, sets the benefits, determines the minimum benefits package, and certainly, of course, would regulate the State associations. As the gentleman knows, it is naive to suggest, to even suggest,

that the Federal Government is going to collect the money and pass it out to any entity without regulation. I think we struggle enough here with overregulation to know that that is not the case.

We are talking here about the Canadian plan. My friends have shifted over to the plans that are being talked about here. We are talking about the Canadian plan. We are talking about the cost of that and the taxes that would have to be raised. We are talking about the fact that, if States finance it, as provinces do, it would take a 47-percent increase in taxes in States to do this kind of thing. There is pretty good evidence, I think, that there is no willingness on the part of this country to pay that kind of tax increase for a Government-controlled health program.

□ 2230

If there is anything that we have good evidence of, it is frustration in this country, with Government regulation and Government involvement. So to suggest that a Government controlled health program for everyone in this country, whether they be Amish or some who do not want to be involved, and to say that that is what we ought to lay on everyone, it seems to me just has no support in the evidence of our experience.

Mr. BOEHNER. Thank you. In the final segment of this debate, each participant will offer a 3-minute closing argument. Members will speak in the reverse order of their opening statements.

I now yield to the gentleman from Illinois [Mr. HASTERT].

Mr. HASTERT. Americans know we need to change what is wrong with our health care system—we must expand access and control costs. They are impatient for that change—and rightly so. But they also want us to preserve the excellence and the choice they have come to expect. And they don't want to see their health care costs go down only to see their taxes go up.

But as we've shown tonight in this debate, all the Canadian system can claim is that everyone has access to the system. But you have to stop and ask yourself, what is the quality of the system? How long will I have to wait to get the test or procedure I need? How much more will I pay in taxes.

They promise that they'll be able to expand access to everyone and no one will have to pay more. But remember what your mother told you, if it sounds too good to be true, it is.

They cite Government estimates and reports produced by the CBO and GAO. But remember, the Government has never correctly estimated the cost of its programs. That's why Congress keeps going back to hard-working Americans to ask them to pay more in taxes. This case is no different.

Their sole cost containment mechanism is simply to have the Government say we'll have lower costs next year and then, forbid hospitals from getting the latest and best equipment. But is that how we want costs lowered.

Fortunately, there are other options out there. If we want to control costs, we should target the key cost drivers. We should reform our malpractice system to eliminate the unnecessary procedures that are done simply to protect the provider if they're dragged into court.

We should adopt a single insurance form and electronic billing so that administrative costs are lowered.

We should tighten our fraud laws to eliminate this cost in our system.

We should reform our antitrust laws so that communities have the opportunity to coordinate the delivery of health care. No longer will each hospital have to buy the latest, and often most expensive, diagnostic tool.

And if we want someone to control costs, it should be the consumer, in consultation with his/her physician who decides if a treatment is appropriate or not.

We should allow the creation of medical savings accounts, or medisave accounts, that are integrated with a catastrophic plan.

Let me explain how this would work. On average, employers nationwide pay \$4,500 per year to buy health coverage for an employee family. Under our legislation, employers would be encouraged to take \$1,500 of that \$4,500 and purchase a major medical insurance policy that would give employers everything they have now, except the insurance policy would have a \$3,000 deductible.

In other words, the employee would pay the first \$3,000 of health care costs. The company would cover that possible \$3,000 expense to employees by setting up a medical savings account in the employee's name and depositing \$3,000 in it each year. Whenever an employee needed medical service, he would go get it wherever he chose and then would present a debit card and the bill would be paid from the \$3,000 in his medical savings account. Anything he didn't spend at year's end he would get to keep. All of a sudden people have an incentive to make a choice between \$200 at the emergency room or \$50 at the doctor's office because they are spending their own medical savings account money.

If a family had multiple illnesses, the \$3,000 would be spent from the account and then the major medical policy would kick in. The employee is as well off as he is under the high premium, low, or no, deductible plan he has today. But, if the employee, be exercising prudence, can save some of the \$3,000, year after year that account can grow as a tax-free IRA. That money

could then be used later in life to purchase long-term care or for other medical services.

The debate on health care reform has just begun. Whatever reforms we adopt, we should make sure that it controls spiraling costs and makes health insurance affordable. Most important, we should make sure reform leaves the patient in charge of the health care decisions, not the Government.

That's a prescription for real change.

Mr. BOEHNER. I yield to the gentleman from Vermont.

Mr. SANDERS. Thank you, Mr. Chairman. Boy, do I wish we had more time.

Just a few points. Yesterday's Washington Post, "The cost of health care." Here is the chart. United States, highest in the world. \$2,868. Canada, \$1,915.

Everybody understands that health care in the United States per capita is far higher than Canada, despite the fact that they have universal coverage, comprehensive coverage, for all of their people.

You keep using the word "taxes." "Taxes." Let us not fool the people.

In Canada taxes are a little bit higher. But, guess what? They do not have to pay \$2,500 per person for private health insurance. That comes out of their tax base. Add taxes and health insurance together, it is about the same for both countries.

Mr. Chairman, 60 years ago, Franklin Delano Roosevelt, as President of the United States, fought for national health care for all people. In 1948, Harry Truman campaigned for national health care for all people.

How has it happened that the United States today, along with South Africa, remains the only industrialized nation on Earth that does not have a national health care system guaranteeing health care to all people? And I will tell you how it has happened. It has happened, not because of a debate over health care, it is a debate over economics. It is a debate over the insurance companies, certain physicians, the pharmaceutical companies, the medical equipment suppliers, who are making billions and billions of dollars off of human misery.

It is all about Common Cause's study that tells us that the medical industrial parks have spent \$60 million over the last 10 years trying to influence this Congress not to pass a national health care system. It is about the CEO of Bristol Meyers Squibb, a large pharmaceutical company, who makes \$13 million in income in 1991, while elderly people cannot afford the prescription drugs that they need.

The reason we do not have a national health care system is that the medical industrial complex is protecting the likes of Mr. Thomas Frist, the CEO of the Hospital Corporation of America, who last year earned, and let me say it slowly, who last year earned \$127 mil-

lion in income, running a hospital corporation, at the same time millions of Americans cannot get into the hospital. That is an outrage.

Poll after poll shows widespread support for the Canadian health care system, among physicians, patients, political leaders. Poll after poll shows widespread bad feelings, widespread unhappiness, with the system we have here in the United States of America.

Mr. Chairman, it is time the American people stood up and said health care is a right of all people. Let us control health care costs. Let us do what the rest of the industrialized world does. Let us pass a single-payer national health care system.

Mr. BOEHNER. I now yield to the gentleman from Wyoming.

Mr. THOMAS of Wyoming. Thank you, Mr. Chairman.

Let me say first I have enjoyed the opportunity to discuss this with my friends. I think this is a useful kind of a debate.

I should also say to my friend BERNIE SANDERS, we do not agree on much of anything. Philosophically, on economics, and other things, we are very separated. I am not a socialist, and I do not believe in socialism. I believe in the capitalistic system.

So I think you take a system that you have, which most people in this country find good for them, and we should fix those things that are broken. It is not necessary for us to uproot all of the things that have been doing well.

We need a program for Americans, a program that fits our needs. We have 240 million people. Canada has 27 million. Americans do not want socialized government-controlled medicine. We do not want a huge tax burden that has an impact on the economy. We do not want to turn our health problems into problems of unemployment.

We need to examine carefully, I think, those things that need to be fixed. We need to fix them, and we need to move promptly to fix them.

I suggest to you there are some things that we could do very quickly, and trying to change the whole system will not come quickly. I think we will wonder why we did not do the things that can be done.

We today have talked about, and our purpose was to examine, the Canadian single-payer system. We have done that. It clearly appears not to have overwhelming support in this country. There is not overwhelming evidence it would be good for this country. Even President Clinton rejects that payer program.

More and more Americans are showing opposition to this plan as having too much government, rationing, high-cost technology, shortages, substandard care, particularly in rural areas, and huge tax burdens. These are part of the efforts of a single-payer plan.

The answer to today's question is quite clear: not the Canadian system for America.

Mr. BOEHNER. I now yield to the gentleman from Washington.

Mr. McDERMOTT. Thank you, Mr. Speaker, I too am grateful for the opportunity to participate today. I am sorry that sometimes these debates though devolve into just throwing sort of slogans back and forth, and we talk about socialism and all these things to scare people. But I think if you look carefully at our health care system, we have had 45 years of uncontrolled free enterprise in this country. It has been very little. The problems have been there. The free enterprise system has simply failed to deal with it. And what we have now is a system that for many Americans is one paycheck away from having nothing.

□ 2240

The single largest cause of personal bankruptcy in this country is because of the single fact that they do not have the ability to pay their medical bills.

Now, the question has been asked here, What is broken? What is broken is the financing system, and it is clear to us, and 89 Members of the House have signed this bill, that the best financing system is one in which we reach out and capture the premiums that are now being paid to private insurance companies and place them in a government system, saving ourselves \$70 billion and covering everybody in this country.

In our proposal, the GAO says that 92 to 95 percent of Americans would pay the same as or less than they are paying today. Now, you have to have universal coverage, because if you do not have universal coverage, you will never be able to get cost controls. As long as we have the freedom in this country and the openness that allows people to go into the hospital and receive care, whether they have money or not, they will go in when they are sick. They will wait and wait and go in when they are very sick. That cost is passed on to people who are paying their premiums. That cost shifting cannot be stopped unless everybody in this country has health insurance and is paying their fair share.

We who support the single-payer system think everybody ought to pay their fair share. Now, the question then is, why should we go to the single-payer system. I hear some disparaging remarks about the CBO, but you know they are sort of a hardheaded bunch. They said that if the single-payer system were in place today, we could save \$350 billion over the next 5 years.

Now, it seems to me unreasonable that conservative people would reject a system that has worked in every industrialized country in the world and provides high-quality care.

As a physician, I would not participate in putting together a program

that did not deliver high-quality care. That is why 9 out of 10 Canadian physicians say they would keep their system. They would never opt for the American system, because they can take care of patients. They can deliver the health care that is necessary, and they do not have to chase patients for bills or put people into bankruptcy.

From my standpoint, that kind of a system is the kind of system that I think we can adapt for America.

I agree with those of you who say we cannot bring Canada to the United States. Of course, we cannot. Their plan was developed in 1946, and it has evolved over 40 years. What we are designing here is an American health security system. We will hand everyone a card, and everyone in this country will be able to get their health care no matter where they are, no matter how much money they have or who they are.

The single-payer system is the way to go.

Mr. BOEHNER. That concludes tonight's debate.

I would like to thank all of the participants that are here with us tonight: the gentleman from Wyoming [Mr. THOMAS], the gentleman from Vermont [Mr. SANDERS], the gentleman from Washington [Mr. McDERMOTT], and the gentleman from Illinois [Mr. HASTERT]. I thank them for the excellent job that they have done.

I would also like to thank the gentleman from Vermont, Representative BERNIE SANDERS, and the progressive caucus, my colleagues in the Conservative Opportunities Society, who have made tonight possible.

Mr. SANDERS. If I could interrupt you, I want to thank you for doing a very fine job of moderating tonight. We look forward to working with you in a cooperative way.

Mr. BOEHNER. I would also like to thank the leadership on both sides of the aisle that have made this possible tonight and have worked well with us. There are more debates to come. We hope to do one in the next several weeks before we break, before Thanksgiving, but you can count on the fact that next year we will be back. We expect to do at least twice a month during 1994.

Again, thank you and good night.

DRUG EPIDEMIC SPREADING ACROSS NORTHERN MICHIGAN

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Michigan [Mr. STUPAK] is recognized for 60 minutes.

Mr. STUPAK. Madam Speaker, I requested this special order tonight to alert my colleagues and our citizens across the country to a new drug epidemic that is spreading across northern Michigan. Methcathinone, "cat," as it nicknamed, is reaching epidemic

proportions in northern Michigan and has recently penetrated Wisconsin, Illinois, and Indiana.

"Cat" is a potent stimulant that is easily made in mobile laboratories, garages, basements, apartments, or the backwoods of northern Michigan. The off-white powder resembles crack cocaine in appearance but is much more potent.

Lt. Steve Herner, of the Michigan State Police post in Negaunee, MI, says addicts tell him that no other drug provides a greater high than "cat."

Last week in Marquette, MI, the man who allegedly brought the drug "cat" to Michigan's upper peninsula in 1990 pleaded guilty to conspiracy to manufacture methcathinone. He now faces up to 20 years in prison.

Although the pioneer of this devastating drug has been brought to justice, he has left a grim legacy. Since 1990, "cat" has spread rapidly across Michigan's upper peninsula and across our Nation—"cat" labs have been seized as far away as Indianapolis, Seattle, and Los Angeles. Each "cat" lab seizure has a tie back to northern Michigan. While this drug is still regional, if not stopped, it promises to plague this Nation.

Back in 1990, when the first "cat" user came to northern Michigan, it is interesting to note that he was going to school at the University of Michigan. And there, as a graduate student, he was working in a Parke-Davis Drug Company as a graduate student. And he came across the methcathinone formula. And having some interest in drugs, he started to fiddle around with the formula and soon introduced "cat" to the Ann Arbor, MI, drug scene and drug culture.

Because of its devastating impact and its physical demands on the human body, the drug was not accepted by the drug culture in the University of Michigan around Ann Arbor. So from Ann Arbor, the gentleman came back to northern Michigan. Unfortunately, to Marquette, MI.

Marquette sits in the heart of the upper peninsula, and around 1990, when we first started to notice this new drug that no one could figure out, the first labs were found in Marquette, MI. And the producers of this drug "cat" are very protective of the formula. The formula, once understood, is easy to make, but the key is having a formula and then starting a chain of users, suppliers and, eventually, "cat" labs.

Soon, within a short year, "cat" started to spread to neighboring communities in northern Michigan. From Marquette, it went to Ishpeming, Negaunee, Gwinn, and many other of the smaller communities in Marquette, MI. Shortly thereafter, it spread, in 1991 and 1992, to Iron County, over by the Iron River, and Crystal Falls, MI. From there it went to Gogebic County, all the way to the western peninsula of

Michigan to the shores of Lake Superior in the little town of Watersmeet and eventually over to Wakefield, Bessemer, and Ironwood and now up to Ontonagon and Ewing.

Each time one of the manufacturers would set up their lab, they would closely guard the formula, share it with only a few close friends so they could keep control over the drug trade of this devastating new designer drug called methcathinone or "cat" on the street.

From there we saw, in early 1990, 1992 and 1993, how "cat" has just exploded across northern Michigan. Once the hub here in Marquette, we now have two or three main hubs. Iron County, Gogebic, and Ontonagon Counties. But each time the drug was spread. And across our border, which we share with our friends in Wisconsin, the drug epidemic has move into Wisconsin, now to the point where the Drug Enforcement Administration has taken down labs in four of the Wisconsin counties, with many other of the other Wisconsin counties coming under the plague of the "cat" syndrome.

Tonight, I want to highlight the enormous danger that "cat" poses to our children and our families.

□ 2250

Since "cat" is a new designer drug, most of the information we have has been compiled by local law enforcement officials in northern Michigan, and the Drug Enforcement Agency; which has had extensive criminal, civil, and grant jury investigations into this drug and how it came to be a plague in northern Michigan.

Through the cooperation of Marquette General Hospital, researchers and emergency room personnel there helped us learn more about this drug called "cat."

"Cat" was first encountered by law enforcement officials in the summer of 1991. The first seizure of a clandestine "cat" lab in the United States took place in Marquette County, MI. The recipe for "cat" was marketed to students at Northern Michigan University, located in Marquette, MI. While, much like Ann Arbor, it did not take hold among the student population, it quickly caught on in the local population because it is cheap and easy to manufacture. "Cat" spread quickly across the upper peninsula and into northern Wisconsin.

As I stated earlier, the Parke-Davis Co. performed fairly extensive research on this drug, this "cat" drug, during the 1950's and 1960's, but the drug was put on the shelf because it had intense side effects that were lethal to human consumption.

It was first thought that ephedrine or methcathinone, a byproduct, would be used as a diet pill.

We found out through our research that chemical companies in Russia

began producing a similar drug in 1938. It was used in Russia to treat depression for a number of years. Then it was made illegal. "Cat" has been sold illegally in Russia under the street name of "Jeff."

"Cat" is easily made in crude laboratories by combining household ingredients such as drain cleaner, epsom salts, battery acid, and ephedrine. Ephedrine is sold legally as a diet pill or pep pill. The sale of the recipe itself can bring substantial profit to individuals. Ephedrine, the key chemical, can be purchased cheaply from mail order catalogs. The other agents needed to produce "cat" can be purchased in hardware stores, or well-stocked stores in northern Michigan or in your region of the country.

An investment of a few hundred dollars can yield the manufacturer substantial profits. The explosion of crack cocaine dealers in larger metropolitan areas demonstrates similar developmental patterns.

As I indicated earlier, you can buy the ephedrine in pill or tablets in mail order catalogs. Let me just show the Members a few tonight that we have found in catalogs, or I should say magazines, that are found anywhere in the United States.

This full page ad in the magazine called "True Love" advertises ephedrine plus, or "ephedrine mini white." Notice, you can receive these stimulant pills, if you will, in quantities from anywhere from 100 to 1,000 for as little as \$18.

Penthouse magazine is another one which advertises ephedrine. You have ephedrine sulfate being advertised, and again, as a diet secret or a diet pill, or as the energy pill, as they show it here in this advertisement.

Body builders use ephedrine as a steroid stimulant, ephedrine HCl. "For the maximum workout, use what the pros use, turbo tablets." It is ephedrine HCl. Again, for \$17.50, you can get up to 1,000 ephedrine tablets.

Even in another magazine that we see constantly on our newsstands, or when we check out at the grocery store, is the Cosmopolitan magazine. Again, ephedrine is being advertised in Cosmopolitan as "the instant energy to simulate your activities and give you that pep that you need to get through the day." Again, ephedrine products can be sold in tablets up to 1,000, or for as little as \$17 to \$18.

What we are finding in some parts of this country, especially in northern Michigan, it is not unusual for a residence or an address, maybe a fictitious name, but the location, being 100,000 tablets a week, because the recipes to make ephedrine or "cat," recipes of this kind are almost always changing.

If ingredients become unavailable, manufacturers may use other chemicals to produce "cat." Improper disposal of the byproducts of "cat" can

lead to an environmental hazard, and extended exposure to toxic fumes has dire health consequences. Moreover, cleanup of these lab sites require special training and can be very costly.

HOW IS "CAT" TAKEN?

"Cat" can be injected, snorted, taken orally, smoked, or absorbed through the skin. The majority of users to date have snorted the drug. There is a large population of users who are also injecting the drug intravenously.

WHAT ARE CAT'S EFFECTS?

"Cat" users report a tremendous rush upon ingestion. Many "cat" addicts smoke marijuana or drink excessive amounts of alcohol to ease the nervous jerks and paranoia associated with chronic abuse. Addicts often go on binges for up to 8 days, never eating, sleeping very little, if at all. To avoid the terrible pains of crashing off the drug, addicts smoke increasing amounts of marijuana and consume excessive amounts of alcohol to the point of unconsciousness.

One "cat" user recently described his experience with "cat" in a recent Detroit Free Press interview:

It was long-lasting—more powerful than cocaine ever was. I did cocaine too, but "cat" from my experience was much more devastating. It has more of an effect and it takes less of an effect. To me, it was much more addicting. I had more of a craving for "cat" than cocaine or any other drug.

Near the end, he had been using "cat" for 18 months and he was making "cat" in his attic at his home. He had to set up fans, because the smell and the toxic fumes from the chemicals was so bad. Last July, he was arrested. Police discovered his "cat" operation when they came to question his neighbor on an unrelated crime and when they noticed and smelled an unusual situation. He now says that arrest for "cat" saved his life. As one former addict describes: "There are two options with cat. You get in trouble or you die. I just got in trouble."

How can we stop this epidemic from moving from northern Michigan, where it is a region, to becoming a national problem? Law enforcement officials in the United States and the Drug Enforcement Agency agree: Stricter controls on the sale of ephedrine, the key ingredient, the stimulant drug needed to make the "cat," would virtually eliminate its production.

Between 1990 and 1992, over 10.5 metric tons of ephedrine has been seized by the DEA in connection with clandestine lab activity. Most of these laboratories are in northern Michigan. The use of ephedrine in illegal drug laboratory activity is highlighted in Michigan by one staggering statistic: Seventy-five percent of all ephedrine sold in Michigan goes to Michigan's upper peninsula, while only 3 percent of the population resides in the upper peninsula.

That is why I have introduced legislation, H.R. 3216, the Domestic Chemi-

cal Diversion Control Act of 1993, to help end illicit sales of ephedrine and related chemicals.

Our Michigan Legislature, and currently the Wisconsin Legislature, have tried to control ephedrine or "cat" through legislation within the State making the possession, distribution, manufacture, or use of "cat or ephedrine or methcathinone illegal.

□ 2300

But as we saw tonight with the mail order magazines, be it body building magazines or Cosmopolitan or any other type of magazines which advertise steroid muscle enhancers or stimulant pills, ephedrine is readily available in large quantities through the U.S. mail through a legal trade.

So what my legislation, which was developed with the Drug Enforcement Agency as a result of its experience with the Chemical Diversion and Trafficking Act, which demonstrated the effectiveness of chemical control as a law enforcement tool, this legislation would strengthen existing law in two very important ways.

First, it would eliminate the so-called legal drug exemption which allows ephedrine to be distributed, without restriction, in tablet and capsule form. If enacted, the DEA would have the authority to remove ephedrine or any similar chemical which could be used in the production of "cat."

Second, it would establish a registration system for distributors, importers, and exporters of ephedrine. This registration system is precisely patterned after the system which has been successfully applied to legitimate controlled substances for the past 20 years. This would provide the DEA an effective means for unscrupulous firms that participate in diversion of dangerous chemicals.

Without ephedrine, there is no "cat." Ephedrine is the key ingredient.

I hope the Congress will move quickly to make these much needed refinements to our chemical control law. I also hope that as we consider anticrime legislation this week that we will redouble our efforts to promote drug education and prevention programs. We can fight the "cat" plague by stifling demand for ephedrine and other dangerous drugs.

Those of you who are listening in your office or those of you who are listening to us tonight, we urge you to contact your representative to support H.R. 3216.

Madam Speaker, I yield back the balance of my time.

NEW DRUG EPIDEMIC "CAT" HITS MIDWEST

Mr. ROTH. Mr. Speaker, a new drug epidemic called "cat" is sweeping through the Midwest. We must stop this latest drug epidemic before it spreads any further.

I remember a number of years ago when police officers and public health officials were warning us about a dangerous new drug. They told us that unless we stopped this drug early, it would take over our cities. This drug could be manufactured easily from cocaine and sold cheaply and at a high profit. It was so addictive that users would kill and rob to support their habits.

This new drug was called crack cocaine, and everyone knows the tragic and ongoing history of this terrible poison. Crack has devastated the people and neighborhoods of our inner cities. Our own Nation's Capital has become the murder capital of the world because of crack. The streets here in Washington are so dangerous that the Mayor wants to call out the National Guard.

Mr. Speaker, today we are seeing history repeat itself. A new drug called cat has taken hold in the upper peninsula of Michigan and is spreading to northeast Wisconsin, Minnesota, and other States in the Midwest. Cat is a highly addictive stimulant and is very dangerous.

Moreover, as cat moves from one community to the next, a wave of crime follows. In their desperation to support an expensive habit, cat addicts steal to buy their daily fix. If the cat menace is allowed to spread further, we may face another nightmare as dangerous as crack.

We must stop this epidemic in its early stages. The key to halting cat's spread is to put the illegal manufacturers of cat out of business.

I am cosponsoring a bill, H.R. 3216, will give law enforcement the tools they need to shut down the cat trade. Cat is produced from common household materials. The key ingredient is ephedrine, an ingredient found in diet pills that are sold over-the-counter. Cat manufacturers purchase large quantities of these ephedrine pills to synthesize the drug.

This bill will place controls on the amount of ephedrine that can be purchased over-the-counter. This bill would also give law enforcement officials the power to enforce these controls and shut down cat laboratories.

Mr. Speaker, Congress cannot delay on this bill. Sheriffs, State legislators, and my constituents from northeast Wisconsin have urged me to fight this emerging menace. Unless we give our police officers the weapons they need to fight this drug, cat will continue to spread.

Today this Congress passed six anti-crime measures. Our work, however, is not finished. Before this session adjourns, we must pass this anti-cat bill. If Congress fails to act, more tragedies will be written, more lives will be wasted, and more people will die.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. BERMAN (at the request of Mr. GEPHARDT) for today and the balance of this week, on account of illness.

Mr. BEILSON for today and November 4 on account of official business (fires in his district.)

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legis-

lative program and any special orders heretofore entered, was granted to:

(The following Members (at the request of Mr. LIVINGSTON) to revise and extend their remarks and include extraneous material:)

Mr. EWING, for 5 minutes each day, on November 8, 9, 10, 15, 16, 17, and 18.

Mr. LIVINGSTON, for 5 minutes each day, on November 3 and 4.

Mr. EMERSON, for 5 minutes, today.

Mr. DELAY, for 5 minutes, today.

Mr. DORNAN, for 60 minutes each day, on November 15, 16, 18, 22, and 24.

Mr. KOLBE, for 60 minutes each day, on November 18, 19, and 22.

(The following Members (at the request of Ms. BYRNE) to revise and extend their remarks and include extraneous material:)

Mr. GEPHARDT, for 5 minutes, today.

Mr. TORRES, for 5 minutes, today.

Mr. UNDERWOOD, for 30 minutes, today.

Miss COLLINS of Michigan, for 60 minutes, on November 9.

EXTENSION OF REMARKS

By unanimous consent, permission to revise and extend remarks was granted to:

(The following Members (at the request of Mr. LIVINGSTON) and to include extraneous matter:)

Mr. KNOLLENBERG.

Mr. HASTERT.

Mr. ROGERS.

Mr. OXLEY.

Mr. SOLOMON in three instances.

Ms. SNOWE.

Ms. FOWLER.

Mr. SCHAEFER.

Mr. GALLEGLY.

Mr. HEFLEY in two instances.

Mr. RAMSTAD.

Mr. PACKARD.

Mr. FISH.

Mr. WELDON.

Mr. LAZIO in two instances.

Mr. KYLE.

Mr. CLINGER.

Mr. FIELDS.

Mr. MANZULLO.

Mr. HERGER.

(The following Members (at the request of Ms. BYRNE) and to include extraneous matter:)

Mr. REED.

Mr. FAZIO.

Mr. MORAN.

Mr. EDWARDS of California.

Mr. HOYER in three instances.

Mr. MANN in two instances.

Mr. COYNE.

Mr. LEHMAN.

Mr. FOGLIETTA.

Mr. BERMAN.

Mr. BONIOR in two instances.

Mr. HAMILTON.

Mr. LANTOS.

Mrs. KENNELLY.

Mr. STENHOLM.

Ms. ESHOO.

Mr. MARKEY in two instances.

Mr. WAXMAN.

Mr. RICHARDSON.

Mrs. COLLINS of Illinois.

Mr. TRAFICANT.

Mr. GEJDENSON.

Mr. LIPINSKI.

Mr. MAZZOLI in two instances.

Mr. ENGEL.

Mr. WISE in two instances.

Mr. DE LUGO.

Mr. TANNER.

Mr. CONYERS.

Mr. SYNAR.

Mr. BEVILL.

(The following Members (at the request of Mr. STUPAK) and to include extraneous matter:)

Mr. SKAGGS.

Mr. PICKLE.

Mr. THOMAS of Wyoming.

Mr. EMERSON.

SENATE BILLS AND JOINT RESOLUTION REFERRED

Bills and a joint resolution of the Senate of the following titles were taken from the Speaker's table and, under the rule, referred as follows:

S. 479. An act to amend the Securities Act of 1933 and the Investment Company Act of 1940 to promote capital formation for small businesses and others through exempted offerings under the Securities Act and through investment pools that are excepted or exempted from regulation under the Investment Company Act of 1940 and through business development companies; to the Committee on Energy and Commerce.

S. 1613. An act to amend the Three Affiliated Tribes and Standing Rock Sioux Tribe Equitable Compensation Act; to the Committee on Natural Resources.

S.J. Res. 55. Joint resolution to designate the periods commencing on November 28, 1993, and ending on December 4, 1993, and commencing on November 27, 1994, and ending on December 3, 1994, as "National Home Care Week"; to the Committee on Post Office and Civil Service.

ENROLLED JOINT RESOLUTION SIGNED

Mr. ROSE, from the Committee on House Administration, reported that that committee had examined and found truly enrolled a joint resolution of the House of the following title, which was thereupon signed by the Speaker:

H.J. Res. 205. Joint resolution designating the week beginning October 31, 1993, as "National Health Information Management Week."

SENATE ENROLLED JOINT RESOLUTION SIGNED

The SPEAKER announced his signature to an enrolled joint resolution of the Senate of the following title:

S.J. Res. 115. Joint resolution designating November 22, 1993, as "National Military Families Recognition Day."

ADJOURNMENT

Mr. STUPAK. Madam Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 11 o'clock and 2 minutes p.m.), under its previous order, the House adjourned until tomorrow, Thursday, November 4, 1993, at 12 noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

2100. A letter from the Secretary of Housing and Urban Development, transmitting notification that the 75 per centum of authority to make commitments to insure mortgages and loans, under the National Housing Act, has been utilized, pursuant to 12 U.S.C. 1721 nt; to the Committee on Banking, Finance and Urban Affairs.

2101. A letter from the Interim Chief Executive Officer, Resolution Trust Corporation, Executive Director, Thrift Depositor Protection Oversight Board, transmitting a report on the activities and efforts of the RTC, the FDIC, and the Oversight Board for the 6 month period ending September 30, 1993, pursuant to Public Law 101-73, section 501(a) (103 Stat. 387); to the Committee on Banking, Finance and Urban Affairs.

2102. A letter from the President and Chairman, Export-Import Bank of the United States, transmitting a report involving United States exports to the Republic of Korea, pursuant to 12 U.S.C. 635(b)(3)(i); to the Committee on Banking, Finance and Urban Affairs.

2103. A letter from the Administrator, U.S. Environmental Protection Agency, transmitting the Agency's report on hydrogen sulfide emissions associated with the extraction of oil and natural gas resources, pursuant to Public Law 101-549, section 301 (104 Stat. 2560); to the Committee on Energy and Commerce.

2104. A letter from the Director, Division of Commissioned Personnel, Department of Health and Human Services, transmitting the annual pension plan report for the plan year ending September 30, 1992, for the Public Health Service commissioned corps retirement system, pursuant to 31 U.S.C. 9503(a)(1)(B); to the Committee on Government Operations.

2105. A letter from the Executive Director, Neighborhood Reinvestment Corporation, transmitting the fiscal year 1993 annual report as required by the Inspector General Act Amendments of 1988, pursuant to Public Law 95-452, section 5(b) (102 Stat. 2526); to the Committee on Government Operations.

2106. A letter from the Director, U.S. Trade and Development Agency, transmitting the fiscal year 1993 annual report as required by the Inspector General Act Amendments of 1988, pursuant to Public Law 95-452, section 5(b) (102 Stat. 2526); to the Committee on Government Operations.

2107. A letter from the Director, U.S. Office of Personnel Management, transmitting OPM's fiscal year 1992 annual report to Congress on veterans' employment in the Federal Government, pursuant to 38 U.S.C. 4214(e)(1); to the Committee on Veterans' Affairs.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk

for printing and reference to the proper calendar, as follows:

Mr. DINGELL: Committee on Energy and Commerce. H.R. 2440. A bill to amend the Independent Safety Board Act of 1974 to authorize appropriations for fiscal years 1994, 1995, and 1996, and for other purposes (Rept. 103-239, Pt. 2). Referred to the Committee of the Whole House on the State of the Union.

Mr. BROOKS: Committee on the Judiciary. H.R. 2814. A bill to permit the taking effect of certain proposed rules of civil procedure, with modifications (Rept. 103-319). Referred to the Committee of the Whole House on the State of the Union.

Mr. BROOKS: Committee on the Judiciary. H.R. 3350. A bill to establish a program of residential substance abuse treatment within Federal prisons; with an amendment (Rept. 103-320). Referred to the Committee of the Whole House on the State of the Union.

Mr. BROOKS: Committee on the Judiciary. H.R. 3351. A bill to amend the Omnibus Crime Control and Safe Streets Act of 1968 to allow grants for the purpose of developing alternative methods of punishment for young offenders to traditional forms of incarceration and probation; with an amendment (Rept. 103-321). Referred to the Committee of the Whole House on the State of the Union.

Mr. BROOKS: Committee on the Judiciary. H.R. 3353. A bill to amend the Omnibus Crime Control and Safe Streets Act of 1968 to allow grants to develop more effective programs to reduce juvenile gang participation and juvenile drug trafficking; with an amendment (Rept. 103-322). Referred to the Committee of the Whole House on the State of the Union.

Mr. BROOKS: Committee on the Judiciary. H.R. 3354. A bill to amend the Omnibus Crime Control and Safe Streets Act of 1968 to allow grants for the purpose of developing and implementing residential substance abuse treatment programs within States' correctional facilities, as well as within local correctional facilities in which inmates are incarcerated for a period of time sufficient to permit substance abuse treatment; with an amendment (Rept. 103-323). Referred to the Committee of the Whole House on the State of the Union.

Mr. BROOKS: Committee on the Judiciary. H.R. 3355. A bill to amend the Omnibus Crime Control and Safe Streets Act of 1968 to allow grants to increase police presence, to expand and improve cooperative efforts between law enforcement agencies and members of the community to address crime and disorder problems, and otherwise to enhance public safety; with an amendment (Rept. 103-324). Referred to the Committee of the Whole House on the State of the Union.

Mr. DINGELL: Committee on Energy and Commerce. H.R. 2639. A bill to authorize appropriations for the promotion and development of the U.S. national telecommunications and information infrastructure, the construction and planning of public broadcasting facilities, and for other purposes; with an amendment (Rept. 103-325). Referred to the Committee of the Whole House on the State of the Union.

PUBLIC BILLS AND RESOLUTIONS

Under clause 5 of rule X and clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. HOYER:

H.R. 3424. A bill to amend title 18, United States Code, to provide enhanced sentences

for repeat violent offenders; to the Committee on the Judiciary.

By Mr. CONYERS (for himself, Mr. BOEHLERT, Mr. SYNAR, Mr. PORTER, Mr. WAXMAN, Mr. SHAYS, Mr. STUDDS, Mr. GILMAN, Mr. NEAL of North Carolina, Mr. MACHTEY, Mrs. COLLINS of Illinois, Mrs. MEYERS of Kansas, Mr. RUSH, Mrs. MORELLA, Mr. OWENS, Mr. GILLMOR, Mr. WASHINGTON, Mr. GALLO, Mr. MARGOLIES-MEZVINSKY, Mr. RAMSTAD, Mr. WISE, Ms. SNOWE, Mr. TOWNS, Mr. SMITH of New Jersey, Mrs. MALONEY, Mr. WALSH, Mr. PAYNE of New Jersey, Mr. LAZIO, Mr. HOCHBRUECKNER, Ms. MOLINARI, Mr. WELDON, Mrs. JOHNSON of Connecticut, Mr. GOSS, Mr. KLUG, Mr. UPTON, Mr. SANDERS, Mr. HORN, Mr. LANTOS, Ms. BROWN of Florida, Ms. WOOLSEY, Mr. GENE GREEN of Texas, and Mr. LANCASTER):

H.R. 3425. A bill to redesignate the Environmental Protection Agency as the Department of Environmental Protection, and for other purposes; to the Committee on Government Operations.

By Mr. EMERSON:

H.R. 3426. A bill to authorize the Secretary of Agriculture to convey lands to the city of Rolla, MO; to the Committee on Agriculture.

H.R. 3427. A bill to authorize the Secretary of Agriculture to convey lands within the State of Missouri to local governments located within the State of Missouri; to the Committee on Agriculture.

By Mr. GREENWOOD:

H.R. 3428. A bill to suspend until January 1, 1997, the duty on certain chemicals; to the Committee on Ways and Means.

By Mr. HERGER:

H.R. 3429. A bill to provide relief to State and local governments from Federal regulation; to the Committee on Government Operations.

By Mr. LAZIO:

H.R. 3430. A bill to require the Secretary of Education to investigate the feasibility of establishing a National Environmental Science and Policy Academy; to the Committee on Education and Labor.

By Mr. MANZULLO (for himself, Ms. CANTWELL, Mr. ROTH, and Mr. COX):

H.R. 3431. A bill to amend the Export Administration Act of 1979 with respect to export of computers, telecommunications equipment, and semiconductors; to the Committee on Foreign Affairs.

By Mr. MARKEY (for himself, Mr. KREIDLER, Mr. SYNAR, Mr. BRYANT, and Mr. COOPER):

H.R. 3432. A bill to amend the Communications Act of 1934 to prohibit the disclosure of certain information concerning customer's uses of telephone services, and for other purposes; to the Committee on Energy and Commerce.

By Ms. PELOSI:

H.R. 3433. A bill to provide for the management of portions of the Presidio under the jurisdiction of the Secretary of the Interior; to the Committee on Natural Resources.

By Mr. WAXMAN (for himself, Mr. HANSEN, Mr. BARRETT of Wisconsin,

Mr. BEILSON, Mr. BROWN of Ohio, Mr. BRYANT, Mrs. COLLINS of Illinois, Mr. DELLUMS, Mr. DURBIN, Mr. FARR, Mr. FOGLIETTA, Ms. FURSE, Mr. HUFFINGTON, Mr. JOHNSTON of Florida, Mr. KREIDLER, Mr. LAFALCE, Mr. LEWIS of Georgia, Ms. MARGOLIES-MEZVINSKY, Mr. MARKEY, Mr. MAZZOLI, Mr. McDERMOTT, Ms. MCKINNEY, Mr. MEEHAN, Mr. MILLER of California, Mr. OBERSTAR, Ms. PELOSI, Mr.

RICHARDSON, Ms. SCHENK, Mrs. SCHROEDER, Mr. SERRANO, Mr. STARK, Mr. SYNAR, Mr. TORRES, Mr. TRAFICANT, Ms. WATERS, and Mr. WYDEN):

H.R. 3434. A bill to amend the Public Health Service Act to protect the public from health hazards caused by exposure to environmental tobacco smoke, and for other purposes; to the Committee on Energy and Commerce.

By Mr. SKAGGS (for himself, Mr. MORAN, Mr. FRANK of Massachusetts, Mr. NADLER, Mr. STARK, Mr. WHEAT, Mr. YATES, Mr. GUTIERREZ, Mrs. MALONEY, Mr. UNDERWOOD, Mr. GIBBONS, Mr. FARR, Ms. BYRNE, Mr. CLAY, Mr. MATSUI, Mr. FOGLIETTA, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. LEWIS of Georgia, Mr. MANN, Ms. LOWEY, Mr. COYNE, and Mr. REYNOLDS):

H.R. 3435. A bill to amend title 18, United States Code, to prohibit the transfer of a firearm or ammunition to a juvenile, and the unsupervised and unauthorized possession of a firearm or ammunition by a juvenile; to the Committee on the Judiciary.

By Mr. STENHOLM (for himself, Mr. DE LA GARZA, Mr. ROBERTS, Mr. SMITH of Oregon, Mr. ALLARD, Mr. BOEHNER, Mr. BONILLA, Mrs. CLAYTON, Mr. COMBEST, Mr. DOOLEY, Mr. EMERSON, Mr. HOLDEN, Mr. KINGSTON, Ms. LAMBERT, Ms. LONG, Mr. MINGE, Mr. PASTOR, Mr. PENNY, Mr. POMEROY, Mr. ROSE, Mr. HALL of Ohio, and Mr. BISHOP):

H.R. 3436. A bill to amend the Food Stamp Act of 1977 to ensure adequate access to retail food stores by recipients of food stamps and to maintain the integrity of the Food Stamp Program; to the Committee on Agriculture.

By Mr. THOMAS of Wyoming (for himself, Mr. RICHARDSON, Mr. YOUNG of Alaska, Mr. HANSEN, Mrs. VUCANOVICH, and Mr. CALVERT):

H.R. 3437. A bill to prohibit agreements negotiated between Indian tribes and States to settle disputes involving lands or water rights which require the appropriation of funds by the U.S. Congress from taking effect unless representatives of the Secretary of the Interior participate in the negotiations and the United States is represented; to the Committee on Natural Resources.

By Ms. WOOLSEY (for herself, Ms. LOWEY, and Mrs. MORELLA):

H.R. 3438. A bill to authorize grants to local educational agencies to develop and employment coordinated services programs; to the Committee on Education and Labor.

By Mr. DUNCAN:

H.R. 3439. A bill to amend title XIX of the Social Security Act to permit a State to provide coverage of room and board furnished by a relative under home and community based waivers under the Medicaid Program if such coverage may be provided on a budget-neutral basis; to the Committee on Energy and Commerce.

By Mr. GALLEGLY (for himself, Mr. BEILENSON, Mr. CALVERT, Mr. COX, Mr. DORNAN, Mr. DOOLITTLE, Mr. DREIER, Mr. HERGER, Mr. HORN, Mr. HUFFINGTON, Mr. KIM, Mr. MCKEON, Mr. MOORHEAD, Mr. POMBO, Mr. PACKARD, Mr. ROHRBACHER, Mr. ROYCE, Mr. LEWIS of California, Mr. MCCANDLESS, and Mr. WELDON):

H.R. 3440. A bill to remove a restriction on the authority of the Secretary of Agriculture to enter into agreements with other Federal agencies to acquire goods and services di-

rectly related to improving or utilizing the firefighting capability of the Forest Service and to require a report regarding the firefighting procedures of the Forest Services; to the Committee on Agriculture.

By Mr. RICHARDSON:

H.R. 3441. A bill for the relief of certain former employees of the United States whose firefighting functions were transferred from the Department of Energy to Los Alamos County, NM; to the Committee on the Judiciary.

By Mr. SCHIFF:

H.R. 3442. A bill to eliminate certain expenditures provided by the Omnibus Budget Reconciliation Act of 1993; jointly, to the Committees on Ways and Means, House Administration, and Agriculture.

By Ms. SHEPHERD:

H.R. 3443. A bill to amend title 5, United States Code, to provide that none of the funds in the employees' compensation fund shall be used to pay compensation, benefits, or expenses for individuals convicted of fraud or other violations in connection with benefits from such fund; to the Committee on Education and Labor.

By Mr. MCCLOSKEY (for himself, Mr. ACKERMAN, Mr. APPLEGATE, Mr. ARCHER, Mr. BARLOW, Mr. BATEMAN, Mr. BEVILL, Mr. BILBRAY, Mr. BILIRAKIS, Mr. BLILEY, Mr. BONIOR, Mr. BREWSTER, Mr. CALLAHAN, Mr. CARDIN, Mr. CLEMENT, Mr. COLEMAN, Miss COLLINS of Michigan, Mr. CRAMER, Ms. DANNER, Mr. DE LA GARZA, Mr. DICK- EY, Mr. DINGELL, Mr. DOOLITTLE, Mr. EDWARDS of Texas, Mr. EMERSON, Mr. EVERETT, Mr. FRANK of Massachusetts, Mr. FROST, Mr. GEKAS, Mr. PETE GEREN of Texas, Mr. GENE GREEN of Texas, Mr. GUNDERSON, Mr. HALL of Texas, Mr. HAMILTON, Mr. HILLIARD, Mr. HOAGLAND, Mr. HOYER, Mr. HUGHES, Mr. HUTCHINSON, Mr. JACOBS, Mr. JEFFERSON, Mr. JOHNSON of South Dakota, Mr. KASICH, Mr. KLECZKA, Mr. KLEIN, Mr. KLUG, Mr. KOPETSKI, Mr. KREIDLER, Ms. LAMBERT, Mr. LANCASTER, Mr. LIPINSKI, Mr. MCNULTY, Mr. MANTON, Mr. MARTINEZ, Mr. MEEHAN, Mrs. MEYERS of Kansas, Mrs. MINK, Mr. MOLLOHAN, Mr. MONTGOMERY, Mr. MORAN, Mr. MOORHEAD, Mr. MURPHY, Mr. NEAL of Massachusetts, Mr. NEAL of North Carolina, Mr. OLVER, Mr. OWENS, Mr. PARKER, Mr. PASTOR, Mr. PETERSON of Minnesota, Mr. PETERSON of Florida, Mr. PETRI, Mr. PICKLE, Mr. QUILLEN, Mr. RAHALL, Mr. RAMSTAD, Mr. RANGEL, Mr. RAVENEL, Mr. ROTH, Mr. ROWLAND, Ms. ROYBAL-ALLARD, Mr. SAWYER, Mr. SAXTON, Mr. SHARP, Mr. SHAYS, Mr. SLATTERY, Ms. SLAUGHTER, Mr. SMITH of New Jersey, Ms. SNOWE, Mr. SPENCE, Mr. STUMP, Mr. THOMAS of Wyoming, Mr. VALENTINE, Mr. VOLKMER, Mr. WAXMAN, Mr. WHITTEN, Mr. WILSON, and Mr. YOUNG of Alaska):

H.J. Res. 286. Joint resolution designating June 7, 1994, through June 14, 1994, as "National Flag Celebration Week"; to the Committee on Post Office and Civil Service.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII,

Mr. LAZIO introduced a bill (H.R. 3444) to authorize the Secretary of Transportation to issue a certificate of documentation with ap-

propriate endorsement for employment in the coastwise trade of the United States for the vessel *Klipper*; to the Committee on Merchant Marine and Fisheries.

ADDITIONAL SPONSORS

Under clause 4 of rule XXII, sponsors were added to public bills and resolutions as follows:

H.R. 70: Mr. UPTON.
H.R. 125: Mr. MCHALE.
H.R. 163: Mr. UPTON.
H.R. 488: Mr. FISH.
H.R. 559: Mr. McDERMOTT, Mr. SMITH of Texas, and Mr. DELLUMS.
H.R. 636: Mr. HAYES.
H.R. 657: Mr. COX.
H.R. 672: Mr. BOEHLERT, Mr. OLVER, Mr. BILBRAY, Mr. ABERCROMBIE, and Mr. OWENS.
H.R. 702: Mr. BLILEY and Mr. MCKEON.
H.R. 746: Mr. TOWNS, Mr. MARKEY, Mr. GILLMOR, and Mr. DORNAN.
H.R. 767: Mr. HALL of Texas.
H.R. 778: Mr. RAHALL, Mr. ROWLAND, Mr. CHAPMAN, and Mr. COOPER..
H.R. 911: Mrs. VUCANOVICH.
H.R. 967: Mr. CRAMER and Mr. LEVY.
H.R. 1009: Mr. UPTON.
H.R. 1025: Mr. DOOLEY.
H.R. 1078: Mr. ROBERTS.
H.R. 1080: Mr. ROBERTS.
H.R. 1156: Mr. DORNAN.
H.R. 1182: Mr. MINETA.
H.R. 1295: Mr. FOGLIETTA, Mr. CHAPMAN, Ms. ESHOO, Mr. LEVY, and Mr. MICHEL.
H.R. 1423: Ms. KAPTUR, Ms. DUNN, Mr. SCHUMER, Ms. BYRNE, and Mr. CALVERT.
H.R. 1496: Mr. MORAN.
H.R. 1552: Mrs. MALONEY, Mr. BLUTE, and Mr. CALVERT.
H.R. 1608: Mr. SWIFT, Mr. STUDDS, Mr. DORNAN, Mr. KLUG, Mr. LEACH, Mr. KLECZKA, and Mr. BAKER of Louisiana.
H.R. 1620: Mr. ROBERTS.
H.R. 1637: Mr. DICKEY and Mr. THORNTON.
H.R. 1886: Mr. GUTIERREZ.
H.R. 1931: Mr. HOLDEN, Mr. SYNAR, Mr. DOOLEY, and Mr. WILLIAMS.
H.R. 2062: Mr. YOUNG of Alaska.
H.R. 2135: Mr. EVANS, and Mr. TUCKER.
H.R. 2227: Mr. ROMERO-BARCELO and Mr. GENE GREEN of Texas.
H.R. 2291: Mr. TORKILDSEN.
H.R. 2292: Mr. OLVER and Mr. SANDERS.
H.R. 2415: Mr. DORNAN.
H.R. 2484: Mr. ACKERMAN, Mr. COPPERSMITH, Mr. JACOBS, Mr. FOGLIETTA, Mr. FARR, Mr. JOHNSON of South Dakota, and Mr. ROMERO-BARCELO.
H.R. 2525: Mr. PAXON, Mr. HINCHEY, Mr. HERGER, Mr. CRAMER, Mr. SISISKY, and Mr. SWIFT.
H.R. 2600: Mr. DOOLEY.
H.R. 2606: Mr. GINGRICH.
H.R. 2623: Mr. KASICH, Mr. ANDREWS of New Jersey, and Mr. PAYNE of Virginia.
H.R. 2646: Mr. GINGRICH.
H.R. 2787: Ms. SLAUGHTER.
H.R. 2788: Mr. BILBRAY.
H.R. 2923: Mr. KLEIN.
H.R. 2927: Mr. POSHARD, Mr. GILMAN, and Ms. SLAUGHTER.
H.R. 2933: Mr. MANTON and Mr. ANDREWS of Maine.
H.R. 2936: Ms. BYRNE, Mr. PETE GEREN of Texas, and Mr. KLUG.
H.R. 2938: Ms. BYRNE, Mr. PETE GEREN of Texas, and Mr. KLUG.
H.R. 2949: Mr. FILNER, Mr. WHEAT, Mr. BONIOR, Mr. TOWNS, Mr. SARPALIUS, Mr. VALENTINE, Mr. BISHOP, Mr. KILDEE, Mr. SCOTT, Mr. RANGEL, Mr. DELLUMS, Mr. FROST, Mr.

GENE GREEN of Texas, Mr. SANDERS, Mr. WAXMAN, Mr. JOHNSTON of Florida, Mr. PARKER, and Ms. FURSE.

H.R. 2959: Mr. MILLER of Florida, Mr. MCINNIS, and Mr. LINDER.

H.R. 3027: Mr. SMITH of New Jersey.
H.R. 3039: Mr. COX, Mr. ARMEY, Ms. SNOWE, Mr. ROYCE, and Mr. OXLEY.

H.R. 3075: Ms. FURSE, Ms. NORTON, Mr. BLACKWELL, Mr. COYNE, Mr. DELLUMS, Mr. EDWARDS of California, Mr. ENGEL, Mr. FAZIO, Mr. FILNER, Mr. FOGLIETTA, Mr. GIBBONS, Mr. HINCHEY, Mr. MILLER of California, Mr. OLIVER, Mr. STARK, and Mr. SWETT.

H.R. 3101: Mr. PORTER.
H.R. 3120: Mr. DORNAN.

H.R. 3121: Mr. KOPETSKI and Mrs. UNSOELD.
H.R. 3138: Mr. MCINNIS and Mr. DELLUMS.

H.R. 3145: Mr. ISTOOK.
H.R. 3146: Mr. SCHIFF.

H.R. 3184: Mr. ROMERO-BARCELO, Mr. HASTINGS, Mr. OWENS, Mr. WYNN, Ms. FURSE, and Mr. HAMBURG.

H.R. 3194: Mr. HINCHEY and Mr. FISH.
H.R. 3195: Mr. MURPHY.

H.R. 3216: Mr. CARR, Mr. FOGLIETTA, Mr. COPPERSMITH, and Mr. BLACKWELL.

H.R. 3224: Mr. COX, Mr. CUNNINGHAM, Mr. DORNAN, Mr. DREIER, Mr. HERGER, Mr. HORN, Mr. HUFFINGTON, Mr. HUNTER, Mr. MCCANDLESS, Mr. PACKARD, Mr. POMBO, and Mr. ROYCE.

H.R. 3233: Mr. ROWLAND.
H.R. 3266: Mr. COPPERSMITH, Mr. SCHIFF, Mr. MINGE, and Mr. DOOLITTLE.

H.R. 3293: Mr. SAM JOHNSON of Texas, Mr. GILLMOR, Mr. HUGHES, Mr. CUNNINGHAM, Mr. TALENT, and Mr. MACHTLEY.

H.R. 3334: Mr. MCKEON, Mr. SAXTON, Mr. KINGSTON, Mr. HERGER, Mr. GRAMS, Mr. BAKER of Louisiana, and Mr. TORKILDSEN.

H.R. 3363: Mr. CANADY.

H.R. 3365: Mrs. LLOYD, Mr. FOGLIETTA, Ms. ESHOO, Mr. STUMP, and Mr. ROMERO-BARCELO.

H.R. 3367: Mr. HYDE, Mr. ZIMMER, Mr. RAMSTAD, and Mrs. UNSOELD.

H.R. 3372: Ms. PELOSI, Mr. QUILLEN, Mr. JEFFERSON, Mr. KREIDLER, Mr. GILMAN, Mr. BACCHUS of Florida, Mr. RAHALL, Mr. PASTOR, Mr. REYNOLDS, Mr. MARTINEZ, Mr. SWIFT, Ms. LOWEY, Mr. APPELEGATE, Ms. WOOLSEY, Mr. TRAFICANT, Mr. FILNER, Mr. RICHARDSON, Mr. INSLEE, Ms. KAPTUR, Mr. BURTON of Indiana, Mr. BISHOP, Mr. CONYERS, Mr. STARK, and Mr. LEVY.

H.R. 3386: Mr. PETERSON of Minnesota, Mrs. VUCANOVICH, Mr. GOODLATTE, Mr. BLILEY, Mr. ROBERTS, Mr. MCDADE, and Mr. MINGE.

H.R. 3392: Mr. HALL of Ohio, Mr. FORD of Tennessee, Mrs. FOWLER, Mr. PICKETT, Mr. LANCASTER, Mr. PETERSON of Minnesota, Mr. HANSEN, and Mr. COMBEST.

H.J. Res. 79: Mr. BALLENGER and Mr. HOLDEN.

H.J. Res. 90: Mr. BROWDER, Mr. CRAMER, Mr. BEVILL, Mr. CALLAHAN, Mrs. ROUKEMA, Mr. HYDE, Mr. WAXMAN, Mr. BILBRAY, Mrs. UNSOELD, Ms. PELOSI, Mr. SERRANO, Mr. HEFNER, Mr. BLILEY, and Mr. LANTOS.

H.J. Res. 103: Mr. MCCLOSKEY and Ms. SCHENK.

H.J. Res. 113: Mr. PETE GEREN of Texas, Mr. BREWSTER, Mr. BURTON of Indiana, Mr. LEWIS of California, Mr. PETRI, Mr. SOLOMON,

Mr. BALLENGER, Mr. BUNNING, Mr. ROEMER, and Mr. JOHNSON of South Dakota.

H.J. Res. 226: Ms. LAMBERT, Ms. LOWEY, Ms. MOLINARI, Mr. TUCKER, Mr. MINETA, Mr. NADLER, and Mr. STENHOLM.

H.J. Res. 274: Mr. LIPINSKI and Mr. ORTIZ.
H. Con. Res. 84: Mrs. UNSOELD and Mr. ACKERMAN.

H. Con. Res. 110: Mr. PETERSON of Florida and Mr. JOHNSON of South Dakota.

H. Con. Res. 138: Mr. McNULTY, Mr. KOPETSKI, Mr. SABO, Mr. PETE GEREN of Texas, and Mr. FISH.

H. Res. 38: Ms. FURSE.

H. Res. 122: Mr. PETERSON of Minnesota and Mr. CALLAHAN.

H. Res. 144: Mr. COSTELLO.

H. Res. 202: Mr. MONTGOMERY.

H. Res. 225: Mr. BACCHUS of Florida, Mr. FRANK of Massachusetts, Mr. MILLER of Florida, Mr. SANTORUM, and Mr. KASICH.

H. Res. 234: Mr. POSHARD, Mr. HUTCHINSON, Mr. HASTINGS, Mrs. MEEK, Ms. FURSE, Mr. JOHNSON of South Dakota, Mr. COMBEST, Mr. KOLBE, Mr. KILDEE, Mr. FAWELL, Mr. HAYES, Mr. KOPETSKI, Mr. FISH, Mr. DIXON, Mr. BONILLA, Mr. BLILEY, and Mr. RICHARDSON.

H. Res. 281: Mr. MANZULLO, Mr. OXLEY, Mr. KING, Mr. MCCANDLESS, Mr. KIM, Mr. FAWELL, Mr. YOUNG of Alaska, Mr. EMERSON, Mr. HOLDEN, Mr. PETE GEREN of Texas, Mr. BARCIA of Michigan, Mr. LAZIO, Mr. GALLEGLY, Mr. BILIRAKIS, Mr. LIGHTFOOT, Mr. KLUG, Mr. BLUTE, Mr. HANSEN, Mr. MCKEON, Mr. SHAW, Ms. DUNN, and Mr. MCDADE.